UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

19 MAY 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article Number: 7014 1200 0000 6125 8713

Ms. Lauren Alterman
Vice President of Health and Safety
CertainTeed Corporation
Environmental Health and Safety Department
750 E. Swedesford Road
Valley Forge, Pennsylvania 19482

RE: CertainTeed Corporation – Pipe and Foundations Group
McPherson, Kansas
RCRA ID No.: KSD020774337

Dear Ms. Alterman:

Request for Information

The U.S. Environmental Protection Agency (EPA) is seeking additional information about the management of hazardous waste at the former CertainTeed Pipe and Foundations Group facility located at 500 West 1st Street in McPherson, Kansas. Section 3007 of the Resource Conservation and Recovery Act (RCRA) gives the EPA the authority to obtain this information in order to determine your facility's compliance with the hazardous waste regulations.

The enclosure contains instructions, followed by the requested information. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required, and substantial penalties may result from not complying. Please note that the EPA retains its authority to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of review of your response to this letter, regardless of whether the violations were subsequently corrected.

Within fifteen (15) calendar days of receiving this letter, please mail your response to: Berla Y. Johnson, AWMD/WEMM, U.S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions to Berla Y. Johnson at (913) 551-7720.

Sincerely,

Donald Toensing
Chief
Waste Enforcement and Materials Management Branch
Air and Waste management Division

Enclosures

cc: The Corporation Company, Inc., Kansas Registered Agent for CertainTeed
112 SW 7th Street, Suite 3C
Topeka, Kansas 66603

Ms. Rebecca Wenner, Kansas Department of Health and Environment
Kansas Department of Health and Environment North Central District Office

List of Requested Information

CertainTeed Corporation – Pipe and Foundations Group
McPherson, Kansas
RCRA ID No.: KSD020774337

On November 7 – 9, 2012, a representative of the U.S. Environmental Protection Agency (EPA) conducted an inspection of the CertainTeed Pipe/Foundations facility site located at 500 West 1st Street in McPherson, Kansas. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA). A copy of the inspection report was provided to facility representatives on December 19, 2012. Subsequent to the inspection, the facility was sold by CertainTeed on May 1, 2013, to West Lake Chemical, a subsidiary of North American Specialty Products (NASP).

From information gathered at the inspection of the site, it appears that that CertainTeed Pipe/Foundations Group failed to make hazardous waste determinations on the following waste streams:

- Blast Residue and Filter
- Vacuum Pot Sludge
- 5-quart container of flexible sealer two part epoxy unidentified chemical
- 5-gallon container of flexible sealer two part epoxy unidentified chemical

The Notice of Violation (NOV) issued to CertainTeed Pipe/Foundations Group following the inspection noted the waste determination violations pertaining to the Blast Residue and Vacuum Pot Sludge. In CertainTeed Pipe/Foundations Group's response to the NOV, received by the EPA on November 29, 2012, CertainTeed requested an additional 45 days extension from the EPA to receive the results of laboratory analysis of the Blast Residue and Vacuum Pot Sludge waste streams, after which it would then share the results and its waste determination of the two waste streams with the EPA. From our review of records, it appears that these results and the determination were not shared with the EPA by CertainTeed.

Also page 14 of the inspection report, sent to CertainTeed on December 19, 2015, references two yellow containers (5-quart and 5 gallon) of two waste chemicals that were constituents of a flexible sealer two part epoxy stored in Hazardous Waste Storage Area #2, but upon which no hazardous waste determination had been performed. The inspector requested copies of the MSDS for the two chemicals but was informed by the CertainTeed facility representative that they could not located at that time. To date, no MSDSs have been provided for these two chemicals by CertainTeed.

Pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, EPA directs CertainTeed to provide the following information:

1. The Waste Determination results for the Blast Residue and Filter, Vacuum Pot Sludge, and the two waste constituent chemicals of the flexible sealer two-part epoxy;
2. Documentation showing how each of those wastes were disposed of following the waste determinations; and
3. The MSDS sheets for the constituent chemicals of the flexible sealer two part epoxy.

3007 RESPONSE INSTRUCTIONS

- Identify the Person(s) responding to this request on your behalf.
- Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- For each numbered item, identify all persons consulted in the preparation of the answer.
- For purposes of this request, the term "you" of "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- If the information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.gov/epahome/cfr40.htm.
- This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to $37,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.

REPORT OF RCRA COMPLIANCE EVALUATION INSPECTION

AT

CERTAINTEED
Pipe/Foundations and Siding
500 West 1st Street
McPherson, KS 67460
(620) 245-3750

EPA ID Number: KSD020774337

ON

November 7-9, 2012

BY

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region VII
Environmental Services Division

1.0 INTRODUCTION

At the request of the Air and Waste Management Division (AWMD), I performed a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection at CertainTeed, Pipe/ Foundations and Siding facility located in McPherson, KS on 11/7-9/2012. I conducted the inspection under the authority of RCRA Section 3007(a), as amended. During the inspection, I collected the information and data necessary to determine compliance with the applicable regulatory and statutory requirements. This report and attachments present the results of the inspection. I conducted the inspection as a Level B Multi-Media Inspection and the Multi-Media Screening Checklist is included as attachment 1. Based on the information obtained during the course of the inspection, I inspected CertainTeed as a small quantity generator (SQG) of hazardous waste, used oil generator and small quantity handler of universal waste (SQHUW). According to the EPA RCRAInfo database, this facility was previously inspected by the Kansas Department of Health and Environment (KDHE) for RCRA compliance on 2/21-23/2011 and various violations were observed. KDHE also last conducted compliance schedule evaluations (CSE) on 3/25/2011 and 5/4/2011 and no violations were observed.

2.0 PARTICIPANTS

CertainTeed Pipe/Foundations (Pipe):

Timothy Miller, Pipe Plant Manager
Brian Lanning, Pipe Maintenance Supervisor (about three months in position, 15 years total with the company)
Curtis Zimmer, Pipe Maintenance Leader (about three months in position, 27 years total with the company) - on 11/7/2012 only

Courtney Nagel, Pipe Maintenance Manger (about two weeks in position and with the company) – joined the inspection on 11/8/2012
Jason Schowengendt, Pipe Quality Technician (about two and half years in position, three years total with the company)
Austin Butcher, Siding Plant Engineer/Environmental Manager (since about March 2012, since 2006 with the company)
Janet Lynch, Siding Plant Manager (about 11 months in position, 12 years total with the company)
Ben Marshall, Siding Plant Superintendent (about 18 months in position and with the Company) - on 11/7/2012 only
Carlos E. Davis, EHS Manager, Western Region, Kansas City, KS, – exit conference only

U.S. Environmental Protection Agency (EPA):
Dedriel L. Newsome, Environmental Engineer

3.0 INSPECTION PROCEDURES

The CertainTeed facility consists of two contiguous CertainTeed manufacturing facilities. They are the Pipe and Siding facilities. At the time of the inspection, they were inspected as one RCRA site, although this determination is under review and could later change as discussed in Section 4.2 below.

On 11/7/2012 at about 1:00 P.M., I arrived at the Pipe facility and met Mr. Miller. I explained the purpose and procedures of the inspection. He informed me that their Environmental, Health & Safety (EHS) employee was on vacation for the week. Mr. Miller also explained that the Pipe and Siding facilities are operated separately as explained in Section 4.2 below. He stated that I would have to speak with Siding personnel regarding the Siding operations. I informed Mr. Miller that I would start with the Pipe facility.

Mr. Miller introduced me to Mr. Lanning and Mr. Zimmer to act as the Pipe facility representatives. I introduced myself and explained the purpose and procedures of the inspection and presented both with my EPA credentials. Mr. Lanning and Mr. Zimmer were made aware of the facility's confidentiality rights and informed that a Confidentiality Notice would be provided at the end of the inspection to make any claims. They were provided with a copy of Section 3007 of RCRA and U.S. Federal Code 1001 and 1002, concerning false statements and documents, to read. I discussed with Mr. Lanning and Mr. Zimmer the facility operations, wastes generated and waste management practices. I also conducted a visually inspection.

Afterwards, Mr. Lanning escorted me to the Siding facility where I met Mr. Butcher, Ms. Lynch and Mr. Miller. I conducted the same above entry procedures, facility description, waste stream discussion and visual inspection.

On 11/8/2012, I returned to both facilities and conducted the records review and completed the visual inspections. I reviewed various records including shipping documents, training documents, inspection logs, facility layouts and Material Safety Data Sheets (MSDS). At the Pipe facility, I visually inspected the two 180/270 day hazardous waste accumulation areas, universal waste storage areas, several product lines, Maintenance Shop, Quality Control Lab and a satellite area in the Fabrication Area. I was accompanied by Mr. Lanning and Mr. Zimmer on

11/7/2012 and Mr. Lanning and Ms. Nagel on 11/8/2012. At the Siding facility, I visually inspected the 180/270 day hazardous waste accumulation area, universal waste storage area, several injection molding lines, and Tooling Shop satellite accumulation area. I was accompanied by Mr. Butcher, Ms. Lynch and Mr. Miller on 11/7/2012 and Mr. Butcher and Ms. Lynch on 11/8/2012.

I completed documents and collected photocopies that are included as attachments 1 through 13. This includes an Entry/Exit Checklist, a KDHE Hazardous Waste Compliance Inspection Checklist and a KDHE Used Oil Compliance Inspection Checklist (see attachments 2A through 2C). Also, I collected photographs with a digital camera. They are included as photos 1 through 22 and are listed in the attached photo log.

On 11/9/2012, I conducted the exit conference at the Siding facility with both the Pipe and Siding facility representatives. They included Mr. Miller, Ms. Nagel, Mr. Butcher, Ms. Lynch and Mr. Davis. I summarized my findings and recommendations. I provided Mr. Miller and Ms. Lynch with a Confidentiality Notice, a Receipt for Documents and a Notice of Violation (NOV), which they signed as acknowledgment of receipt (see attachments 3 through 5). **The Siding facility claimed a pigment MSDS as confidential. Specifically they claimed the vendor's name and color since they provide "information regarding the nature and characteristics of our formulation as well as the specific supplier."** The Pipe facility made no confidential business claims. The compliance assistance documents provided during the inspection are listed on the Entry/Exit Checklist included as attachment 2A, page 2. I informed the facility representatives of the KDHE hazardous waste website that contains hazardous waste technical guidance documents, checklists, regulations and other helpful RCRA information.

The inspection procedures followed were in general as discussed in the RCRA CEI Standard Operating Procedures (SOP) unless noted differently. Also, any authorized federal regulatory citations noted in this report are as adopted by reference in the authorized state's regulations.

4.0 Findings and Observations

4.1. General Information and Facility Operations

The CertainTeed facility located in McPherson, Kansas consists of two contiguous CertainTeed manufacturing facilities. They are the Pipe/Foundation (Pipe) facility and the Siding facility which are operated separately as explained in Section 4.2 below (see attachment 6A for an aerial photo). CertainTeed has been located at this site for about 30 years. The facilities remain the same as described in the previous 2/21-23/2011 inspection report.

Each facility is operated as follows:

- The Pipe facility manufactures polyvinyl chloride (PVC) pipe and foundations as shown by the process diagrams in photos 1 and 2. They have a Quality Control (QC) Lab and Maintenance Shop. A layout of the facility is included as attachment 6B. The Pipe facility has 102 to 108 employees. The facility is operated 24 hours, seven days per week. The office hours are from 8:00 A.M. to 5:00 P.M., Monday through Friday. There is one designated EHS Specialist on-site, Clay Shelly.

- The Siding facility manufactures home polymer sidings. The process involves blending polypropylene and pigments and injection molding. They have a QC Lab, Maintenance Shop, Tooling Shop to repair molds, and a Distribution Center for storage of raw materials and finished products. A layout of the facility is included as attachment 6C. There are 83 employees. The facility is operated 24 hours, seven days per week. The office hours are from 8:00 A.M. to 5:00 P.M., Monday through Friday. Mr. Butcher handles the environmental compliance at the Siding facility.

Both the Pipe and Siding facilities work with a CertainTeed Regional EHS Manager, Mr. Davis, regarding environmental compliance. Also, Mr. Butcher explained that two days per year, CertainTeed shuts down production and focuses only on EHS issues.

4.2. RCRA Status

According to the EPA RCRAInfo database, a Notification of Hazardous Waste Activity was last submitted for the 500 West 1st Street address on 3/28/2012. CertainTeed notified as a SQG of D001, D035, D039 and F003 hazardous waste. I provided Mr. Miller and Ms. Lynch with the EPA RCRAInfo Handler Sheet for review and no changes were made (see attachment 7).

Based on information obtained during the inspection, it appears that CertainTeed may oscillate between a Kansas SQG (generates between 55 and 220 pounds per month) and a SQG (generates between 220 and 2,200 pounds per month). At the time of the inspection, I determined that CertainTeed was a SQG of known hazardous waste, a used oil generator and a SQHUW. The SQG status determination was based on the following and the weights of previous drum shipments (see attachment 8A for manifests):

- in the Pipe's 180/270 day accumulation area there were two full drums of adhesive solids dated 10/18/2012 and 10/30/2012, therefore, at least one full drum was generated between then (at least 150 lbs);
- 400 pounds of Pipe adhesive liquids were generated between 1/18/2012 and 9/18/2012 (about 400 lbs/8 month = 50 lbs/month);
- a 2/3rd full drum of Siding printer waste solids was generated between 6/20/2012 and inspection date (120 to 250 lbs (2/3) / 5 months = 16 to 33 lbs/month);
- a 2/3rd full drum of Siding printer waste liquids was generated between 3/14/2012 and inspection date (175 to 250 lbs (2/3) / 8 months = 14 to 21 lbs/month); and
- the additional small amounts of other hazardous wastes discussed below.

This gives an approximate minimum total of about 230 to 254 pounds for October 2012 (150 + 50 + (16 to 33) + (14 to 21)). It should be noted that Mr. Butcher stated that at the Siding facility, they try to ship the drums of hazardous waste off once a year, even though they may not be full.

One or Two RCRA Sites Discussion – According to RCRAInfo, the Pipe facility (KSD020774337) initially notified on 8/18/1980 and the Siding facility (KSD000224535) on 7/14/1989. Mr. Davis stated that Pipe and Siding were two separate businesses when they initially notified, although, they combined into one business sometime after that. However, about five years ago they again split into two separate businesses even though they have the same parent company, Saint-Gobain. At the time of the inspection, the two CertainTeed Pipe

and Siding facilities were inspected as one RCRA site operating under the KSD020774337 number. This was based on how they were handled/inspected during the previous 2/21-23/2012 KDHE inspection. Therefore, during the inspection I cited CertainTeed for using the wrong EPA ID number on their manifest (they were still using KSD000224535, see attachment 8B). After the inspection on 11/29/2012, Mr. Davis informed me that they and KDHE were looking into whether they should be considered one RCRA site or two. Regarding the two facilities he stated that the Pipe and Siding accounting is separately maintained. Mr. Davis stated that the contiguous facilities site is part leased and part owned by Pipe and Siding. Pipe owns about 60 percent and Siding about 40 percent. Mr. Davis was not sure if the two companies shared any of the property without seeing the deed. He stated that Pipe and Siding may share employees to keep from laying them off; however, the employees get paid by whichever company they are working for at the time. Also, during the inspection, Mr. Miller (Pipe) stated that Mr. Butcher (Siding) was one of Pipe's alternate emergency coordinators. Mr. Davis stated that this would be like a "neighbor" type of relationship (i.e., assist where can, if needed). **I informed Mr. Davis that I would be adding this information into the report for it to be followed up on by KDHE or EPA. It should be noted that if the Pipe and Siding facilities are considered separate sites, then this would affect their RCRA status and the violations/issues discussed in this report may not be applicable.**

4.3. Wastes Streams

The Pipe facility has two 180/270 day accumulation areas (henceforth called HW Storage Areas) and the Siding facility has one. They are shown on attachment 6B and 6C and photos 3 through 9.

It should be noted that the facility representatives at both the Pipe and Siding facilities did not readily know all the generation rates and/or how all the wastes were handled by the designated treatment/storage/disposal (TSD) facilities at the time of the inspection. However, this information is available upon request. Also, the Pipe's EHS Specialist was on vacation at the time of the inspection. Therefore, some waste streams were difficult to match up with manifest descriptions/RCRA codes and some additional information was requested as noted below.

I observed the following regarding the waste streams discussed at the Pipe and Siding facilities:

#	WASTE NAME	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
1	Printer Waste (MEK) Liquids and Solids	At the Pipe and Siding facilities, specification information is printed on the products. The printers are cleaned as necessary using methyl ethyl ketone (MEK) and rags. Both waste MEK liquids and solids are generated from this cleaning process. The liquids consist of any spent MEK liquid generated. The solids consist of MEK contaminated rags and disposable gloves. At the Pipe facility, the solids also include the small plastic pouches that are used inside the printers after the spent MEK liquid has been removed.	At the Pipe facility, both the printer waste liquids and solids were determined to be D001/D035/F005 hazardous waste based on process knowledge according to the previous inspection. At the Siding facility, both the printer waste liquids and solids are determined to be D001/D035/F005 hazardous waste based on process knowledge (see attachment 8B manifest).	At the Pipe facility, the printer waste liquid was unknown at the time of the inspection other than a small amount. At the time of the inspection, there was none in the HW Storage Areas. The printer waste solids are generated at about 110 to 165 gallons per year as estimated by Mr. Lanning and Mr. Zimmer. At the time of the inspection, there was none in the HW Storage Areas. At the Siding facility, the printer waste liquids are generated at about five to 10 gallons per year according to Mr. Butcher. At the time of the inspection, there was an approximately two-thirds full 30-gallon drum in the HW Storage Area. The printer waste solids are generated at about 55 gallons per year according to Mr. Butcher. At the time of the inspection, there was about a two-thirds full 55-gallon drum in the HW Storage Area.	At the Pipe facility, there are eight product lines that have printers. The printer waste liquids are collected in a 5-gallon pail located at each line. The printer waste solids are collected in a 20-gallon drum also located at each line. When the containers of printer waste liquids and solids are full, they are emptied into separate 55-gallon drums located in HW Storage Area #2. Also, printer heads may be cleaned in a small container of MEK located in the QC Lab. The spent liquid is collected in a 2-gallon can located in a small cabinet on a roller cart (see photo 19). It is unknown how it is handled as discussed below in Section 4.4.A.8. At the Siding facility, there are 12 to 14 printers used on the product lines. The printer waste liquids are collected in a 2-gallon pail located at each printer. The printer waste solids are collected in a 5-gallon pail located at each printer. At the end of each shift, the containers of printer waste liquids and solids are taken to the HW Storage Area where the liquids are emptied into a 30-gallon drum and the solids are emptied into a 55-gallon drum.	At the Pipe facility, both the printer waste liquids and solids are manifested to Safety-Kleen, Wichita, KS. At the Siding facility, both the printer waste liquids and solids are manifested to Safety-Kleen, Wichita, KS (see attachment 8B manifest).

#	WASTE NAME	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
Satellite vs. 180/270 Day Accumulation Discussion – According to 40 CFR 262.34(c)(2), satellite accumulation containers must be moved to an 180/270 day accumulation area, or be handled as180/270 day accumulation containers in that area, when they no longer meet the definition of satellite accumulation. Based on the on-site management described above, it appears that the satellite accumulation areas are located at the printers on the product lines, and the drums they are emptied into are the 180/270 day accumulation containers. This is based on the drums located in the HW Storage Areas are not at or near the point of generation and under the control of the operator (see attachment 6B and 6C for facility layouts). Therefore, I inspected the containers located on the product lines as satellite accumulation containers and those in the HW Storage Areas as 180/270 day accumulation containers. At the Siding facility, Mr. Butcher stated that the drums in the HW Storage Area were being handled as satellite accumulation containers because they were less than 55 gallons. It was not clear at the Pipe facility if the drums in the HW Storage Areas were being handled as satellite or 180/270 day accumulation containers since the facility representatives were not sure and the EHS Specialist was on vacation. However, the containers in the Pipe's HW Storage Areas were not dated and the container inspection logs that could be located noted only satellite accumulation areas being inspected as discussed below in Section 4.4.A.8. **See Section 4.4 for other related violations/issues.**						
2	Waste Adhesive Liquids and Solids	At the Pipe facility, glue is applied to pipes in the Fabrication Area. The process includes brushing on glue and PVC primer from a cup. This process generates both waste liquids and solids. The liquids consist of any excess glue and PVC primer liquid leftover in the cup after use (see attachment 9A for primer MSDS). The solids consist of glue/PVC primer contaminated rags and disposable gloves.	The waste adhesive liquids and solids both are determined to be D001/D035/F005/F003 hazardous waste based on process knowledge according to the previous inspection.	The waste adhesive liquids are generated at about 20 to 30 gallons per year as estimated by Mr. Lanning and Mr. Zimmer. At the time of the inspection, there was one full drum dated 9/18/2012 in the HW Storage Area #1. The waste adhesive solids are generated at about 110 to 165 gallons per year as estimated by Mr. Lanning and Mr. Zimmer. At the time of the inspection, there were two full drums dated 10/18/2012 and 10/31/2012 in the HW Storage Area #1.	The waste adhesive liquids are collected in a 55-gallon drum. When full, it is placed in the HW Storage Area #1. The waste adhesive solids are collected in a 55-gallon drum. When full, it is placed in the HW Storage Area #1.	The waste adhesive liquids and solids are manifested to Safety-Kleen, Wichita, KS – (see attachment 8A manifest).
3	QC Lab Acetone Liquid and Solid Wastes	At the Pipe facility, in the QC Lab an acetone analysis is conducted on the finished products to determine if it will cause damage. Both acetone liquid and solid wastes are generated. The liquid consists of the leftover acetone after testing. The solids consist of acetone contaminated rags/wipes and gloves. It should be noted that at the Siding facility only physical testing (i.e., no chemical testing) is conducted in the QC Lab.	The acetone liquid waste is determined to be D001/F003 hazardous waste based on process knowledge. The acetone solid waste determination was unknown at the time as discussed below in Section 4.4.A.8.	The acetone liquid waste is generated at about three 5-gallon pails per year as estimated by Mr. Lanning and Mr. Zimmer. At the time of the inspection, there was one full 5-gallon pail in the HW Storage Area #2. The acetone solid waste is generated at about one 5-gallon can every two months as estimated by Mr. Schowengendt. At the time of the inspection, there was none in the HW Storage Areas.	The acetone liquid waste is collected in a 5-gallon pail. When full, it is placed in the HW Storage Area #2. The acetone solid waste is collected in a 5-gallon can in the lab. When full, it is unknown how it is handled as discussed below in Section 4.4.A.8.	The acetone liquid waste is manifested to Safety-Kleen, Wichita, KS (see attachment 8A manifest). It was unknown how the acetone solid waste was being handled as discussed below in Section 4.4.A.8.

#	WASTE NAME	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
See Section 4.4 for related violations/issues.						
4	Vacuum Pot Sludge	At the Pipe facility, a vacuum is pulled on the extrusion equipment. The captured PVC vapors are condensed and collected in a pot on each product line. Since the previous inspection, Mr. Lanning stated that they have changed the way this waste is generated. Now more of the blended PVC is in a melted, as opposed to powder, state prior to the vacuum being pulled. Therefore, it is not routinely generated and not as much is generated.	The vacuum pot sludge is handled as a non-hazardous waste (see attachment 10 for analysis), although see discussion below in Section 4.4.A.	The vacuum pot sludge generation rate varies according to Mr. Lanning and Mr. Zimmer as discussed below. At the time of the inspection, I observed one approximately half full drum in the HW Storage Area #2.	The vacuum pot sludge is removed from the pots off each line. It is poured into a 55-gallon drum located in the HW Storage Area #2.	The vacuum pot sludge is shipped to Safety-Kleen, Wichita, KS.
See Section 4.4 for related violations/issues.						
5	Used Oil and Used Oil Filters	At the Pipe and Siding facilities, used oil and used oil filters are generated from equipment maintenance. Equipment on-site includes gear boxes, hydraulic systems, oil heat transfer units, pumps, etc.	At the Pipe and Siding facilities, the used oil is handled as used oil. At the Pipe facility, the used oil filters are handled as scrap metal. At the Siding facility, the used oil filters are handled with the oily contaminated material discussed below.	At the Pipe facility, the used oil generation rate was readily unknown at the time. I observed one drum dated 8/30/2012 in the HW Storage Area #1 and three drums in the HW Storage Area #2 (see photos 6 and 13). The generation rate of the used oil filters was readily unknown. At the time of the inspection, I observed about eight filters draining inside a tank, and the tank contained about eight inches of used oil according to Mr. Lanning. At the Siding facility, the used oil generation rate was readily unknown at the time. The generation rate of the used oil filters was readily unknown, although Mr. Butcher estimated it may be around four filters per month.	At the Piping facility, the used oil is collected in containers. The containers are emptied into a 55-gallon drum. When full, the drum is placed in either HW Storage Area #1 or #2. The used oil filters are drained into an approximately 250-gallon above-ground storage tank (see photos 16 and 17). At the Siding facility, the used oil is collected in containers. The containers are emptied into an approximately 250-gallon tote located in the West Containment Storage Area. The used oil filters are drained and collected with the oily contaminated material discussed below.	At the Pipe facility, the used oil is collected by Safety-Kleen, Wichita, KS. The used oil filters are collected with the scrap metal discussed below. At the Siding facility, the used oil is collected by Environmental Energy, Topeka, KS for recycling. The used oil filters are collected with the oily contaminated material discussed below.
See Section 4.4 for related violations/issues.						

#	WASTE NAME	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
6	Contaminated Used Oil	At the Pipe facility, brake cleaners are sprayed on equipment during maintenance. Used oil contaminated with brake cleaner is generated during the maintenance. The two types of cleaners that may be used are Barnes Brake Cleaner and Safety Solvent according to Mr. Lanning (see attachments 9B and 9C for MSDS's).	The contaminated used oil is handled as D039 hazardous waste, although see discussion below in Section 4.4.A.	The contaminated used oil is generated at about two drums per year as estimated by Mr. Lanning and Mr. Zimmer.	The contaminated used oil is collected in drip pans/containers. The drip pans/containers are emptied into a 55-gallon drum. When full, the drum is placed in either HW Storage Areas #1 or #2.	The contaminated used oil is shipped to Safety-Kleen, Wichita, KS.
See Section 4.4 for related violations/issues.						
7	Brake Cleaner Contaminated Materials	At the Pipe facility, brake cleaners are sprayed on equipment during maintenance. Pads and rags become contaminated with the brake cleaners. The two types of brake cleaners that may be used are the same as stated in waste stream #6.	The brake cleaner contaminated materials are handled as D039 hazardous waste, although see discussion below in Section 4.4.A.	The brake cleaner contaminated materials are generated at about one drum per year as estimated by Mr. Lanning and Mr. Zimmer.	The brake cleaner contaminated materials are collected in 55-gallon drums. When full, the drum is placed in the HW Storage Area #2.	The brake cleaner contaminated materials are shipped to Safety-Kleen, Wichita, KS.
See Section 4.4 for related violations/issues.						
8	Solvent Contaminated Materials	At the Siding facility, a tetrachloroethylene solvent is used with rags/wipes to clean injection molding equipment. It is currently in the process of being changed to an isopropyl alcohol (IPA)/heptane solvent. The solvent contaminated materials include rags, disposable wipes, and gloves.	The solvent contaminated materials are handled as D001/D039/D040/ F002 hazardous waste based on process knowledge.	The solvent contaminated materials are generated at about two drum per year as estimated by Mr. Butcher.	The solvent contaminated materials are collected in a 55-gallon drum located in the Tooling Area. When full, the drum remains in this same area until it is shipped off-site.	The solvent contaminated materials are shipped to Safety-Kleen, Wichita, KS.

#	WASTE NAME	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
9	Aerosol Liquid/Filter/ Punctured Can and Spent Paint Solvent	At both the Pipe and Siding facilities, various types of aerosols are used on-site. They include paints, lubricants, brake cleaners, and mold cleaners. After use, the aerosol cans are punctured in a puncture device/filter attached to a 55-gallon drum. Also, spent paint solvent generated at the Siding facility is added into the aerosol liquid waste. The spent paint thinner is generated from cleaning painting equipment such as brushes. The painting conducted on-site is for building maintenance. The MSDS of the paint thinner is included as attachment 9D.	At the Pipe facility, the aerosol liquid is handled as a D001/D039 hazardous waste based on knowledge. The filter is collected with the brake cleaner contaminated materials (see waste stream #7). The punctured cans are handled as scrap metal. At the Siding facility, the aerosol liquid and filter are handled as a D001/D039 hazardous waste, although see discussion below in Section 4.4.B. The punctured cans are handled as scrap metal.	At the Pipe facility, the aerosol liquid is generated at about two-thirds drum every five years based on the amount on-site. The aerosol filters are generated at about three to four filters per year as estimated by Mr. Lanning and Mr. Zimmer. At the Siding facility, the aerosol liquid is generated at about five to 10 gallons per year as estimated by Mr. Butcher. At the time of the inspection, I observed one drum with about 10 gallons. The aerosol filters are generated at about one top filter per six months and one bottom filter once per year. The punctured cans generation rate at both facilities was not obtained.	The aerosol puncture device is located in the HW Storage Area #2 at the Pipe facility and in the HW storage Area at the Siding facility. At both facilities, the aerosol liquid accumulates in the 55-gallon drum. Also, at the Siding facility, the spent paint thinner is added into the 55-gallon drum at the time of generation. At the Pipe facility, the aerosol filter is collected with the brake cleaner contaminated materials (see waste stream #7). At the Siding facility, the aerosol filter is collected in a 5-gallon pail in the HW Storage Area. At both facilities, the punctured cans are collected with the scrap metal discussed below.	At both the Pipe and Siding facilities, the aerosol liquid is manifested to Safety-Kleen, Wichita, KS. At the Pipe facility, the aerosol filter is disposed with the brake cleaner contaminated materials (see waste stream #7). At the Siding facility, the aerosol filter is manifested to Safety-Kleen, Wichita, KS. The punctured cans are disposed with the scrap metal discussed below.
See Section 4.4 for related violations/issues.						
10	Blast Residue/Filter	At the Pipe facility, a blasting cabinet is located in the Maintenance Shop. It is used to remove paint and rust. The cabinet also has a filter attached. The spent residue is removed about once every two months and the filter changed about once every month.	A hazardous waste determination had not been made on the blast residue/filter.	The blast residue is generated at about five gallons every two months and the filter about one every month.	The blast residue/filter are collected with the general trash (see waste stream #14).	The blast residue/filter are disposed with the general trash (see waste stream #14).
See Section 4.4 for related violations/issues.						

#	WASTE NAME	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
11	Floor Sweepings	At the Pipe facility, the entire facility floor is swept with a Tennant sweeper about two times per day. The floor sweepings generated include some raw materials, blended powder dust, and finished product shavings. At the Siding facility, the Distribution Center aisles are swept with a Tennant sweeper about once per day.	At the Pipe facility, the floor sweepings are determined to be non-hazardous based on process knowledge. At the Siding facility, the floor sweepings are determined to be non-hazardous based on knowledge (see discussion below).	At the Pipe facility, the floor sweepings are generated at about 10 pounds per day, but may also vary. At the Siding facility, the generation rate of the floor sweepings was unknown, but stated to be less than 55 gallons based the approximate capacity of the sweeper.	At both the Pipe and Siding facilities, the floor sweepings are collected with the general trash (see waste stream #14).	At both the Pipe and Siding facilities, the floor sweepings are disposed with the general trash (see waste stream #14).
Hazardous Waste Determination Discussion – At the Siding facility, raw materials and finished products are stored in the Distribution Center that is swept about once per day. I was provided a MSDS for one of the pigments used in the finished products (see attachment 9E, claimed confidential business). Some Toxic Characteristic Leachate Procedure (TCLP) RCRA constituents were present as shown in attachment 9E. The other pigments used on site contained similar pigments. I asked Mr. Butcher if they had made a hazardous waste determination on the floor sweepings, or any other waste that may contain any pigments in regards to the hazardous constituents present. Mr. Butcher stated that based on knowledge, they do not expect any of the raw material pigments to be in the floor sweepings. Also, he stated that they have done calculations and determined that the TCLP constituents are present in their products at such diminutive quantities that any waste would be non-hazardous based on this knowledge. Mr. Butcher provided me with these calculations which are included as attachment 11.						
12	Spent Batteries	At the Pipe and Siding facilities, spent batteries are changed as needed during equipment maintenance. The batteries used include alkaline, nickel-cadmium, lithium and/or lead-acid.	At the Pipe and Siding facilities, the spent batteries are determined to be universal waste.	At the Pipe facility, the spent batteries are generated at about 20 to 40 pounds every six months. At the Siding facility, the spent batteries are generated at about 10 to 20 pounds every six months.	At the Pipe facility, the spent batteries are collected in a small container in the HW Storage Area #1. At the Siding facility, the spent batteries are collected in small containers and stored in the HW Storage Area.	At the Pipe facility, the spent batteries are manifested to Safety-Kleen, Wichita, KS. At the Siding facility, the spent batteries are shipped to Veolia, Kansas City, MO for recycling.
See Section 4.4 for related violations/issues.						

#	WASTE NAME	GENERATION PROCESS	HAZARDOUS WASTE DETERMINATION	ESTIMATED GENERATION RATE	ON-SITE MANAGEMENT	OFF-SITE MANAGEMENT
13	Spent Lamps and Trailer Lamps	At the Pipe and Siding facilities, spent lamps are changed as needed during building maintenance. At the Pipe facility, the lamps used include 4-ft, 8-ft, and compact fluorescent, sodium vapor and metal halides. Mr. Lanning and Mr. Zimmer stated that they are in the process of changing to all T5 low mercury content fluorescent lamps. They started the changeover process about 45 days ago. At the Siding facility, the lamps used include 4-ft and 8-ft fluorescents and metal halides. The Siding facility has now changed approximately 98% of their lamps to T5 low mercury content fluorescent lamps. Mr. Butcher stated that they conducted the changeover process around December 2011 through January 2012. He stated that they have a few external metal halides left on-site that will be changed over also.	At the Pipe and Siding facilities, the spent lamps are determined to be universal waste.	At the Pipe facility, the spent lamps are manifested as shown in attachment 8A. At the Siding facility, the spent lamps are mailed at about 40 total spent lamps every four months.	At the Pipe facility, the spent lamps are collected in boxes in the HW Storage Area #1. Since the changeover process started about 45 days ago, some spent lamps were temporarily being stored in the "Colletti Freeway" which is also where the lamp casings were being changed. This storage area will no longer be used once the changeover process is completed. At the Siding facility, the spent lamps are collected in boxes and stored in the HW Storage Area.	At the Pipe facility, the spent lamps are manifested to Safety-Kleen, Wichita, KS. At the Siding facility, the spent lamps are mailed to Veolia, Kansas City, MO for recycling.
See Section 4.4 for related violations/issues.						
14	General Trash	At the Pipe and Siding facilities, the general trash consists of refuse, paper, etc.	At the Pipe and Siding facilities, the general trash is determined to be non-hazardous based on knowledge.	At the Pipe facility, the one 40-cubic yard dumpster is collected about once every two weeks. At the Siding facility, the one 40-cubic yard dumpster is collected about once a quarter.	At the Pipe and Siding facilities, the general trash is collected in one each approximately 40-cubic yard dumpster.	At the Pipe and Siding facilities, McPherson Solid Waste, McPherson, KS, collects the general trash and disposes of it in a sanitary landfill. At the Pipe facility, it is collected when called about once every two weeks and at the Siding facility about once a quarter.

Other waste topics and streams discussed at each facility included the following:

Pipe Facility

- Waste glycerin is generated when the heated glycerin dip tank is changed out about once every six months. The product is dipped into the heated glycerin to make it flexible to work with. The waste glycerin is determined to be non-hazardous based on knowledge and is sent to Safety-Kleen, Wichita, KS.
- Dust is generated from a dust collector system on the entire North Plant finished product and Fabrication areas (see attachment 6B for facility layout). It is reground/pulverized prior to being recycled on-site.
- Electronic waste (E-waste) consists of out-of-date/unwanted equipment including monitors and computers. It is generated at about 50 pounds per year and is collected on pallets. **It is sent to McPherson Business Machines, McPherson, KS, although it is unknown how specifically they handle the e-waste.** The Pipe facility last sent a load during the summer of 2012.
- Spent Parts Washer Solvent is generated from one 24 to 30 gallon parts washer. The washer is serviced by Safety-Kleen about once every three months. The spent solvent is in the continued use program (CUP) and is therefore, RCRA exempt.
- Scrap Metal is collected in containers and is collected by Midwest Iron and Metal, Hutchison, KS, for recycling.
- Oily contaminated materials are generated from oily leaks/spills and cleaning of equipment. They include rags, absorbent, and pads. The oily contaminated materials are determined to be non-hazardous based on process knowledge. They are collected in 55-gallon drums and are generated at about four to six drums per year. The oily contaminated materials are stored in both HW Storage Areas #1 and #2. They are shipped to Safety-Kleen, Wichita, KS.
- Recycled materials include cardboard, plastics, scrap banding and aluminum cans. The cardboard is generated at about 70,000 pounds per year and the others about 7,000 pounds total. It sent to a vendor determined by market.

Siding Facility

- Wastewater is generated from the injection molds chiller units. The wastewater is discharged to the city sewer and no solid wastes are generated.
- E-waste consists of out of date/unwanted equipment including monitors and computers. The generation rate varies. The E-waste is collected on pallets. **It is sent to McPherson Business Machines, McPherson, KS, although it is unknown how specifically they handle the e-waste.** The Pipe facility last sent a load during the summer of 2012.
- Dust is generated from a dust collector system on the railcar station where polypropylene resin pellets are unloaded. Not much dust is generated since the material is in pellet form. Any waste would be collected with the floor sweeping (waste stream #11) that are disposed in the general trash.
- Spent Parts Washer Solvent is generated from one 10 gallon parts washer. It is serviced by Safety-Kleen about once every six months. The spent solvent is in the CUP and is therefore, RCRA exempt.

- Oily contaminated materials are generated from oily leaks/spills and cleaning of equipment. They include rags, absorbent, and pads. The oily contaminated materials are determined to be non-hazardous based on process knowledge. They are collected in 55-gallon drums using a drum compactor. There were 55 drums generated to date since January 2012. The oily contaminated materials are stored in the West Containment Area. They are shipped to Environmental Energy, Topeka, KS for used oil reclamation according to Mr. Butcher.
- Scrap Metal is collected in containers and is collected by Midwest Iron and Metal, Hutchison, KS, for recycling.
- Recycled materials include cardboard, plastic, scrap banding, plastic soda bottles, paper, books, and aluminum cans. They are sent to a vendor determined by market.

4.4 Violations / Issues Observed

The following apparent SQG violations/issues were observed at the Pipe and Siding facilities:

A. Pipe Facility

1. **Hazardous Waste Determinations (NOV #A.1)** – According to KAR 28-31-262 → 40 CFR 262.11, a hazardous waste determination is to be made on all solid waste. A hazardous waste determination was not made on the following:
    a. Vacuum Pot Sludge (Waste Stream #4) – In 2009, the vacuum pot sludge was tested for heavy metals and flashpoint and determined to be non-hazardous (see attachment 10). However, I observed an approximately half full drum of vacuum pot sludge in HW Storage Area #2 that had a very strong solvent odor when opened (see photo 7). Mr. Lanning and Mr. Zimmer did not know why it would have this odor as it should not include any solvents. They believed someone must have poured some spent solvents into it. Since the source of the solvent odor was unknown, I listed it on the NOV for a hazardous waste determination to be made.
    b. Blast Residue/Filter (Waste Stream #10) – A hazardous waste determination had not been made on the blast residue and filter (see photo 15).
    c. Contaminated Oil and Brake Cleaner Contaminated Materials (Waste Streams #6 and #7) – The contaminated used oil and brake cleaner contaminated materials were determined to be D039 (tetrachloroethylene) hazardous wastes. I was provided the MSDS's for the two brake cleaners being used (see attachments 9B and 9C). According to the MSDS's, the brake cleaners do not contain any tetrachloroethylene. It was believed that the type of brake cleaner was changed in the past. I informed the facility representatives at the exit conference that this hazardous waste determination needs to be reviewed. Also, at the Pipe facility, I observed five drums labeled as used oil near HW Storage Area #2 (see photo 13). Mr. Lanning stated that he did not know if these drums of used oil were the hazardous D039 or non-hazardous used oil. It should be noted that if they are hazardous waste, then they were not labeled as "Hazardous Waste" or dated as required.
    d. Unwanted Chemical – In HW Storage Area #2, I observed two yellow containers (a 5-quart and 5-gallon) of a flexible joint sealer two part epoxy that Mr. Lanning stated were old chemicals they were planning to get rid of. No hazardous waste determination had been made on these two chemicals and the MSDS were not

located at the time. It was unknown how long they had been in storage. These two containers were inadvertently left off the NOV.

2. **Undated 180/270 Day Accumulation Containers (NOV #A.2)** – According to 40 CFR 262.34(a)(2), accumulation containers must be dated. I observed the following undated accumulation containers:
    a. HW Storage Area #2 – Full undated 5-gallon pail of waste acetone (see waste stream #3 and photo 7);
    b. HW Storage Area #2 – Approximately 1/3rd full undated 55-gallon drum of brake cleaner contaminated materials (see waste stream #7 and photo 7).

    (Two additional containers were inadvertently listed on the NOV as c. and d. However, these two were satellite accumulation containers and are not required to be dated. I contacted Mr. Shelly on 11/15/2012 and asked that they be removed from the NOV.)
3. **Open/Unlabeled Satellite Accumulation Drum (NOV #A.5)** – According to 40 CFR 265.173(a) and KAR 28-31-262(c)(7), satellite accumulation containers must be closed and labeled "Hazardous Waste." I observed the following:
    a. HW Storage Area #2 – Approximately 2/3rd full 55-gallon drum of aerosol liquid waste that had an open unsealed puncture unit (see waste stream #9 and photo 7);
    b. Area Outside QC Lab – Approximately 1/8th full 2-gallon open unlabeled pail of printer waste liquids (see waste stream #1 and photo 19); and
    c. South Side of Line #3 – Partially full open 5-gallon pail of printer waste liquids (see waste stream #1 and photo 18).
4. **Open and Unlabeled Universal Waste Containers and No Documented Length of Storage (NOV #A.4)** – According to 40 CFR 273.13(d)(1), containers of universal waste lamps must be closed. According to 40 CFR 273.15(c), the length of storage of universal waste lamps and batteries must be documented. According to 40 CFR 273.14(e), universal waste lamps must be labeled as "Universal Waste Lamp(s)," "Waste Lamp(s),"" or "Used Lamps." I observed the following:
    a. HW Storage Area #1 – Approximately half full open 4-ft box of spent fluorescent lamps dated 10/12/2012 (see waste stream #13 and photos 3 and 4);
    b. HW Storage Area #1 – Two uncontained, undated, and unlabeled spent metal halide lamps stored on shelf (see waste stream #13 and photos 3 and 4);
    c. HW Storage Area #1 – Approximately 3/4th full undated 5-gallon pail of spent batteries including alkaline, nickel-cadmium and lithium (see waste stream #12 and photos 3, 4 and 12); and
    d. Colletti Freeway – Full open, unlabeled, and undated box of spent metal halide lamps (see waste stream #13 and photo 5).
5. **No Annual Training (NOV #A.5) – According to KAR 28-31-262a(d)(1)(B), employees are to be trained annually and records are to be kept of each employee trained, date of training and topics covered.** Mr. Miller provided training documents that included a 2012 Master Roster, 2011 Hazardous Waste /Universal Waste General Training, 2011 and 2012 Flammable & Combustible Liquids Training (see attachments 12A through 12D). I randomly selected four employees that handle hazardous waste to determined what training they had received since the previous 2/21-23/2011 inspection. They included Mr. Zimmer and Joe Demaio who had no documented training for the 2011 Hazardous Waste /Universal Waste General and 2011 Flammable & Combustible Liquids Training (see attachments 12B and 12C).

6. **No RCRA Emergency Information Posted by the Phone (NOV #A.6) – According to 40 CFR 262.34(d)(5)(ii), the emergency coordinator's name and number, location of emergency equipment, and fire department's number, must be posted by the phone.** Mr. Lanning stated that the employees that handle hazardous waste carry two-way radios. However, I observed no emergency information posted near the two HW Storage Areas. The closest landline phone to HW Storage Area #1 that had any nearby emergency information posted was located in the office hallway (see attachment 6B for facility layout and photo 11). However, the information posted did not include the current emergency coordinators name and phone numbers or the location of the emergency equipment. The posted emergency contact names included Dave Partin who left around January 2012, Greg Wingert who left around July 2012, and Kathy Boas who left around May 2012 according to Mr. Lanning. According to Mr. Miller, the current emergency coordinators are Clay Shelly, Tim Miller, Carlos Davis and Mr. Butcher in the order listed. It should also be noted that Mr. Davis who is located in Kansas City, KS and over 30 minutes away (not able to reach the facility in a short amount of time as required) was stated as being an alternate coordinator. The closest posted emergency information to the HW Storage Area #2 was in the lunch room where no phone was located (see attachment 6B for layout and photo 14). Even so, this posted information was out-of-date the same as stated above according to Mr. Lanning.
7. **Poor Condition Used Oil Tanks (NOV #A.7)** – According to KAR 28-31-279 → 40 CFR 279.22(b), used oil tanks must be in good condition and not rusting. I observed the used oil tank (see waste stream #5) in poor condition due to rust (see attachment 6B and photos 16 and 17). It contained about eight inches of used oil and about eight filters were draining inside the tank. It should be noted that the used oil tank has secondary containment.
8. **Additional information was to be provided after the inspection including the following**:
    a. **The arrangements, if any, that have been made with the police and hospital**. Mr. Miller stated that Mr. Shelly would know what, if any, arrangements have been made with the hospital and police.
    b. **How the QC Lab printer waste liquids and acetone solids are disposed (see waste streams #1 and #3)**. Mr. Schowengendt stated that he did not know what happened to these lab wastes since he has never emptied the satellite accumulation containers.
    c. **The specific areas that are being inspected and noted on the inspection logs.** The current inspection logs note satellite areas only as being inspected and no "storage" area as was noted on older logs (see attachments 13A). As discussed above in waste stream #1, the 180/270 day accumulation containers appeared to be handled as satellite containers. However, Mr. Shelly, the EHS Specialist, was not available to answer questions on what specific areas were being inspected.
9. **Additional items/issues discussed included the following:**
    a. **The manifest Department of Transportation (DOT) descriptions must be correct.** Some manifests only noted the waste constituent name and not whether it was a liquid or a solid (see attachment 8A for manifests). Due to inspection time constraints, I did not follow-up on whether all the DOT descriptions being used were correct as required by the DOT regulations.
    b. **All hazardous waste must be placed inside the hazardous waste containers at all times.** I observed all, but two, spent rags being collected inside the

containers as required. The two rags that were located on top of the hazardous waste accumulation container were placed inside at the time of the inspection.

c. **Used oil must be labeled "used oil" and not "universal waste."** I observed several drums of used oil labeled both as used oil and universal waste. Mr. Lanning and Mr. Zimmer were not sure why both names were placed on the drums.
d. After speaking with Rebecca Werner, KDHE, I informed Mr. Shelly on 11/15/2012 that electronic signature on inspection logs is acceptable as long as the full name is noted and they are available upon request.

B. Siding Facility

1. **Undated 180/270 Day Accumulation Containers (NOV #B.1)** – According to 40 CFR 262.34(a)(2), accumulation containers must be dated. I observed the following undated accumulation containers:
   a. HW Storage Area – Approximately 2/3rd full undated 55-gallon drum of printer waste liquids (see waste stream #1 and photos 9 and 21); and
   b. HW Storage Area – Approximately 2/3rd full undated 55-gallon drum of printer waste solids (see waste stream #1 and photos 9 and 20).
2. **No RCRA Emergency Information Posted by the Phone (NOV #B.2) – According to 40 CFR 262.34(d)(5)(ii), the emergency coordinator's name and number, location of emergency equipment, and fire department's number, must be posted by the phone.** Mr. Butcher stated that the employees that handle hazardous waste have two-way radios. He stated that they also have company issued cell phones. I observed no posted emergency information near the HW Storage Area. The closest landline phone to the HW Storage Area was located in the office area (see attachment 6C for facility layout). This phone had general emergency contact information posted and did not include the emergency coordinators' name and phone number and the location of emergency equipment (see photo 10). According to Mr. Butcher, the emergency coordinators are Mr. Butcher and Ms. Lynch in the order listed.
3. **No Arrangements with the Police/No Designated One Authority (NOV #B.3) – According to 40 CFR 265.37(a)(1) and 265.37(a)(2), arrangements must be made with the local authorities who will respond to an emergency at the facility and when more than one police may respond, and authority must be designated.** Mr. Butcher stated that they have not made any arrangements related to the hazardous waste with the hospital or police. He stated that the fire department is aware of their hazardous wastes and locations on-site. Also, Mr. Butcher stated that the McPherson police and the McPherson County Sheriff could respond to an emergency at the facility. He was not aware of any arrangements being made that would designate which one would have authority.
4. **One Container Not Inspected Weekly (NOV #B.4) – According to 40 CFR 265.174, accumulation containers must be inspected weekly and a log maintained.** The containers in the HW Storage Area were being inspected weekly and documented as required. However, the one container of solvent contaminated material (waste stream #8) was not being inspected as required when it becomes full and stays in the area until shipped off-site according to Mr. Butcher.
5. **No Annual Training (NOV #B.5) – According to KAR 28-31-262a(d)(1)(B), employees are to be trained annually and records are to be kept of each employee trained, date of training and topics covered.** Mr. Butcher provided training documents. There was no hazardous waste spill related training documentation for 2011

provided. Ms. Lynch stated that their computer system that notes this, erases the date when a new date is entered (2012 had been entered). Therefore, there was no documentation for 2011, only 2012.

6. **Incorrect Manifest ID# (NOV #B.6) – According to 40 CFR 262.20(a), the generator ID number must be entered on the manifest.** In the past, the Pipe and Siding facilities had two separate EPA ID numbers. However, at the time of the inspection, they were inspected as one facility operating under the KSD020774337 number as explained in Section 4.2 above. However, the Siding facility was still using the old EPA ID number, KSD000224535 on the manifests (see attachment 8B for manifests).
7. **Recordkeeping for Hazardous Waste Determination (Not Listed on the NOV) – According 40 CFR 262.40(c), hazardous waste determination documents must be kept for three years.** The aerosol liquid (waste stream #9) is determined to be a D001/D039 hazardous waste. At the Siding facility, Mr. Butcher stated that various types of aerosols may be punctured into the drum. Mr. Butcher stated that the aerosol liquid RCRA codes could vary based on the types of aerosols added into the drum. He stated that they document each can of aerosol that is punctured into the drum on a white board (i.e., erasable). When the drum is ready for pickup, Safety-Kleen reviews the board information and makes the hazardous waste determination at that time.
8. **Additional information was to be provided after the inspection regarding whether there are any used oil releases from the apparent floor seam crack in an oil spill area near injection mold unit #16 (see photo 22).**
9. **Additional items/issues discussed included the following:**
    a. **Label universal waste exactly how it states in the regulations.**
    b. **The aerosol puncture unit cap must be all the way clamped down.** The puncture unit had a screw clamp to hold it into place. The lid was in place and made contact with the seal, however, the clamp was not completely tightened. Mr. Butcher completely tightened it at the time of the inspection.
    c. **Training agendas should specifically list the hazardous waste related items.** The annual training was being conducted based on agendas and stated discussions of what the training consisted of. However, some of the agenda topics covered were in general (e.g. spills). I informed Mr. Butcher to be more specific for the hazardous waste related training included in the general training conducted.
    d. **Clarify inspection logs to distinguish between satellite and the HW Storage Area.** As discussed above in waste stream #1, the HW Storage Area was being handled as a satellite accumulation area.
    e. After speaking with Rebecca Werner, KDHE, I informed Ms. Lynch on 11/15/2012 that electronic signature on inspection logs is acceptable as long as the full name is noted and they are available upon request.

4.5. Other RCRA Issues

The CertainTeed facility consists of two contiguous manufacturing facilities, the Pipe and Siding facilities. At the time of the inspection, they were inspected as one RCRA site, although this determination is under review and could later change as discussed above. At the time of the inspection, I determined that CertainTeed as one site was a SQG of known hazardous waste, a used oil generator and a SQHUW. Other than the items noted above, no other apparent violations were noted. However, EPA may be reviewing my findings further after the inspection that may change or add to my findings.

Dedriel Newsome

Dedriel L. Newsome
Environmental Engineer
Date: 12/6/12

Attachments

1. Multi-media Screening Checklist (2 pages)
2. Checklists
   A. Entry / Exit Checklist (2 pages)
   B. KDHE Hazardous Waste Compliance Inspection Checklist (15 pages)
   C. KDHE Used Oil Compliance Inspection Checklist (3 pages)
3. Confidentiality Notice (1 page) - ***Confidential Business Information***
4. Document of Receipt (1 page)
5. NOV and NOV Attachment (3 pages)
6. Facility Layouts
   A. Aerial Photo (1 page)
   B. Pipe Layouts (2 pages)
   C. Siding Layout (1 page)
7. EPA RCRAInfo Handler Sheet (1 page)
8. Shipping Documents
   A. Piping Manifests and Documents (56 pages)
   B. Siding Manifests and Documents (8 pages)
9. MSDS
   A. Pipe PVC Primer MSDS (5 pages)
   B. Pipe Barnes Brake Cleaner MSDS (5 pages)
   C. Pipe Safety Solvent MSDS (1 page)
   D. Siding Paint Thinner MSDS (6 pages)
   E. Siding Facility Pigment MSDS (6 pages) - ***Confidential Business Information***
10. Vacuum Pot Sludge Analysis (6 pages)
11. Hazardous Constituents Calculation Documents (2 pages)
12. Training Documents
   A. 2012 Master Roster (4 pages)
   B. 2011 Hazardous Waste /Universal Waste General Training (4 pages)
   C. 2011 Flammable & Combustible Liquids Training (9 pages)
   D. 2012 Flammable & Combustible Liquids Training (10 pages)
13. Inspection Logs
   A. Piping Logs Current and Some Older (49 pages)
   B. Siding Logs (3 pages)

Photo Log (2 pages)
Photographs (12 pages / 22 photos)

500 W. First Street
McPherson, KS 67460

CertainTeed

U.S Environmental Protection Agency, Region VII
300 Minnesota Ave.
Kansas City, KS 66101

Attn: Dedriel Newsome

Dear, Ms. Newsome,

Please find CertainTeed Corporation – Pipe and Foundations Group – 500 W. First Street, McPherson, KS 67460 responses to the Notice of Violation Pursuant to Requirements of the Resource Conservation and Recovery Act (RCRA) inspection conducted on November 7th – 9th, 2012. If you have any questions or need any further information please do not hesitate to contact me directly. Thank you for your time.

Sincerely,

Clay Shelly
EHS Specialist
500 W. First Street
McPherson, KS 67460
Office: 620-245-3734
Mobile: 620-504-2081

Citation 1

Description of Violation:

40CFR262.11: Make a Hazardous Waste Determination on Attachment # 1 A1 {a thru c}

A1 a: Stg 2 – Vacuum Pot Sludge with solvent odor,
55 gal drum ~ ½ full

A1 b: Stg 2 – Tooling Blasting Cabinet Media Residue
and Filter

A1 c: Stg 2 Area: 5 full 55 gal drums of used oil
(are D039, used oil)

CertainTeed Response to Citation 1 a

An April 2009 analysis of the Vacuum Pot sludge was provided at the closing meeting. A sample of the contents of this specific drum were taken on November 20, 2012 and sent to Pace Analytical Laboratories for analysis.

CertainTeed is requesting an additional 45 days to receive the Lab Results and will then be sharing the Waste Determination based on these results with EPA.

CertainTeed Response to Citation 1 b

A sample of the blasting media residue {currently in use} was taken on November 20, 2012 and sent to Pace Analytical Laboratories for analysis. CertainTeed will then be using the Blasting Media Residue Analytical Results to also characterize for a Waste Determination the Blasting Media Filter.

CertainTeed is requesting an additional 45 days to receive the lab results and will then be sharing the Waste Determination based on these results with EPA.

CertainTeed Response to Citation 1 c

CertainTeed believes that the used oil drums characterized as RCRA Hazardous Waste is accurate. The Maintenance Department uses a product that contains Tetrachloroethylene {CASRN 127-18-4}, SDS attached as Attachment "MSDS Form No. 012491". In some instances, the used oil that is generated is contaminated with this Chlorinated Solvent and as a result becomes a Hazardous Waste with Waste Codes D039, F001 and F002. The Hazardous Waste used oil is segregated from used oil that is not Hazardous Waste.

CertainTeed is in the process of investigating alternatives to this solvent.

Citation 2

40CFR262.34(a)(2):Undated storage containers listed in Attachment 1 A2 {a thru b} **Per phone conversation with Dedriel Newsome and Clay Shelly on November 15, 2012 items 2 c and d were removed from the Citations List.**

A2 a: Stg 2: ~ Full 5 gal pail of waste acetone

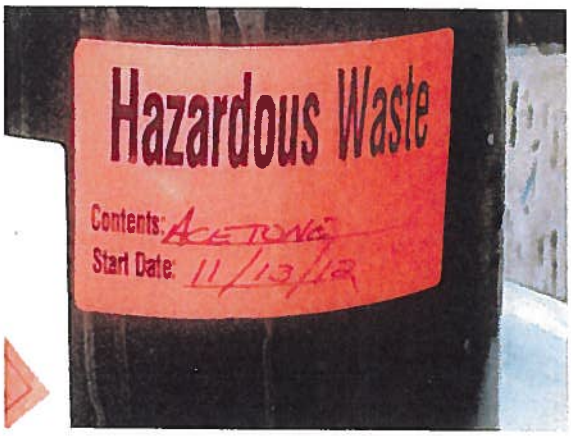
A2 b: Stg 2: ~ 1/3 full Brake Cleaner Solids

~~A2 c: Stg 2: ~ ½ full 5 gal pail Printer MEK waste liquid~~

~~A2 d: Stg 2: ~ full 42 gal drum Printer MEK waste solids~~

CertainTeed Response to Citation 2 a

This container was labeled and dated on November 13, 2012.



CertainTeed Response to Citation 2 b

CertainTeed is managing this collection container as a "Satellite Accumulation" container as allowed in 40CFR262.34(c)(1)

40CFR262.34 (c)(1) A generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in § 261.31 or § 261.33(e) in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with paragraph (a) or (d) of this section provided he:

(i) Complies with §§ 265.171, 265.172, and 265.173(a) of this chapter; and

(ii) Marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

CertainTeed believes that the Brake Cleaner {wipes and paper towels D039, F001, F002} drum meets the requirements of a Satellite Accumulation container because:

- The collection of the Hazardous Waste is performed by Authorized Personnel only {maintenance personnel}
- The use of the Brake Cleaner is plant wide and the waste material is carried from the equipment location where the cleaning operation has occurred to the single Satellite Drum. This is done for safety and housekeeping considerations.
- As a Satellite Accumulation container, no date is required until the drum reaches a volume of 55 gallons and is then dated and transferred to an accumulation area for shipment.

Citation 3

40CFR265.173(a) & KAR 28-31-262(c)(7): Open and unlabeled satellite containers listed in Attachment 1 A 3 {a thru c}

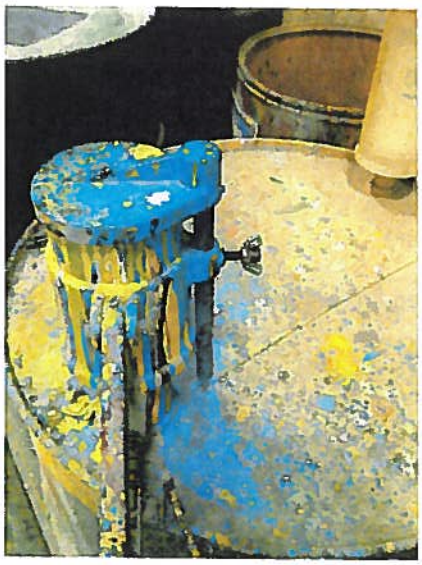
A3 a: Stg2: Aerosol puncture can – open 55 gal drum ~ 2/3 full

A3 b: QC Lab MEK Liquid ~ 1/8 full – 2 gal can – open,
no Haz Waste label

A3 c: Line # 3 South – 5 gal pail MEK Liquid - open

CertainTeed Response to Citation 3 a

The Aerosol Can Puncture Lid was closed and a thumbscrew was installed to secure the lid on November 14, 2012.

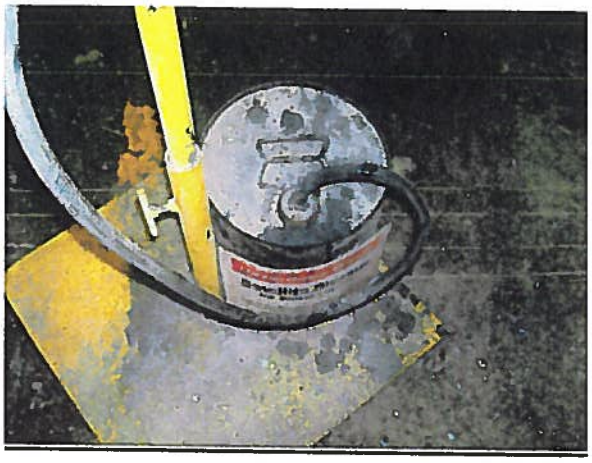


CertainTeed Response to Citation 3 b

This waste material was transferred to an Accumulation Container in Storage Area 2 on November 13, 2012.

CertainTeed Response to Citation 3 c

This Container was closed during the inspection.



Citation 4

40CFR273.14(e), 273.15(c) and 273.1: Unlabeled, Undated and open Universal Waste lamps / batteries on Attachment 1 A4 {a thru d}

A4 a: Stg 1 – 4 ft box ~ ½ full dated 10/12/12 – open

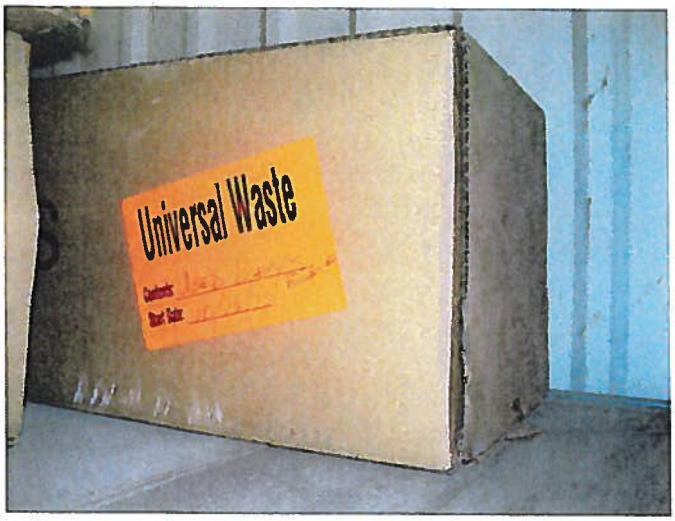
A4 b: Stg1 – 2 uncontained metal halide lamps, undated and unlabeled

A4 c: Stg1: Batteries 5 gal pail, no date ~ ¾ full

A4 d: Freeway – 1 full box open, unlabeled, undated metal halides

CertainTeed Response to Citation 4 a

This Container was verified as being closed on November 12, 2012



CertainTeed Response to Citation 4 b

The metal halide lamps were placed into a correctly labeled and dated container on November 16, 2012.

CertainTeed Response to Citation 4 c

The Battery container labeled as Universal Waste was dated on November 12, 2012 with a good faith estimate of when the container first received a spent battery.

CertainTeed Response to Citation 4 d

The metal halide bulbs were placed into an approved contained, labeled as Universal Waste and dated on November 16, 2012.

Citation 5

KAR 28-31-262(a)(d)(l)(B): No annual Haz-Waste General and fire related training for 2011 for Curtis Zimmer and Joe Demaio.

CertainTeed Response to Citation 5

Hazardous waste Management Training was held in March of 2011 and Fire Extinguisher Training was conducted in November 2011.

Please see Attachment "Affidavit" for Curtis Zimmer's response to attending the Training held in March and November 2011.

Joe Demaio is currently out of the Plant on Vacation.

CertainTeed is requesting an additional 15 days to allow Mr. Demaio to return to work and submit an Affidavit for attending the Training.

Citation 6

40CFR262.34(d)(5)(ii): No posted emergency info for storage areas # 1 and #2

CertainTeed Response to Citation 6

The emergency information required by 40CFR262.34(d)(5)(ii) was posted on November 12, 2012.

Please see Attachments "Haz-Waste Storage Area 1 Emergency Information" and "Haz-Waste Storage Area 2 Emergency Information".

Citation 7

40CFR279.22(b): Poor condition (rusty) used oil tank.

CertainTeed Response to Citation 7

This used oil tank is in a concrete containment area. CertainTeed plans to remove the used oil storage tank from service, clean the tank and then send the tank for scrap metal recycling by early 1st Quarter 2013.

Barnes Distribution

1301 E. 9th Street, #700
Cleveland OH 44114
(800) 726-9626

Material Safety Data Sheet

MSDS Form No. : 012491
Item No. : BD1535, BD1535-1
MATERIAL SAFETY DATA SHEET

COMPLIES WITH OSHA HAZARD COMMUNICATION STANDARD 29 CFR 1910.1200

MANUFACTURED FOR:
BARNES DISTRIBUTION
THE GALLERIA & TOWER AT ERIEVIEW
1301 E. 9TH STREET, STE #700
CLEVELAND OH 44114

EMERGENCY TELEPHONE NUMBER:
CHEMTREC: 1-800-424-9300

DATE PREPARED: NOVEMBER 2010

PRODUCT TYPE: CLEANER

PRODUCT NAME: INDUSTRIAL BRAKE CLEANER & WASH BD1535

------SECTION 1 - IDENTIFICATION OF PRODUCT ------

COMMON NAME (USED ON LABEL)(TRADE NAME & SYNONYMS):
INDUSTRIAL BRAKE CLEANER & WASH BD1535

CAS. NUMBER: SEE SECTION 2

CHEMICAL NAME: PERCHLOROETHYLENE

CHEMICAL FAMILY: N/A

FORMULA: N/A

HMIS RATINGS:

HEALTH	2
FLAMMABILITY	0
REACTIVITY	0
PERSONAL PROTECTION	B

MINIMAL HAZARD: 0
SLIGHT HAZARD: 1
MODERATE HAZARD: 2
SERIOUS HAZARD: 3
SEVERE HAZARD: 4
GLOVES, SAFETY GLASSES: B

------SECTION 2 - HAZARDOUS INGREDIENTS ------

PRINCIPAL HAZARDOUS COMPONENT(S):

CHEMICAL AND COMMON NAME(S)	CAS. #	OSHA PEL	ACGIH TLV	VAPOR PRESSURE @ 25 DEG. C.	LEL	UEL	FLASH POINT DEG. F	% BY WT.
PERCHLORO-ETHYLENE**	127-18-4	25 PPM	25 PPM	13 MMHg	NONE	NONE	NONE	95
CARBON DIOXIDE	124-38-9	5000 PPM		1 ATM.	NONE		NONE	5

**NOTE:
THIS PRODUCT CONTAINS AN INGREDIENT SUBJECT TO SECTION 313 OF SARA TITLE III.

WARNING:
THIS PRODUCT CONTAINS PERCHLOROETHYLENE, WHICH IS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER, BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM.

N/A IS NOT AVAILABLE OR NOT APPLICABLE

------SECTION 3 - PHYSICAL DATA ------

BOILING POINT (DEG. F):
CONCENTRATE: 250

SPECIFIC GRAVITY (WATER = 1):
CONCENTRATE: 1.62

VAPOR PRESSURE (MMHg): SEE SECTION 2

PERCENT VOLATILE BY WEIGHT (%): 95%

VAPOR DENSITY (AIR = 1): >1

EVAPORATION RATE (BA = 1): >1

SOLUBILITY IN WATER: NEGLIGIBLE

REACTIVITY IN WATER: NONE

APPEARANCE AND ODOR:
CONCENTRATE: CLEAR LIQUID, IRRITATING ODOR AT HIGH CONCENTRATIONS
PROPELLANT: COLORLESS, ODORLESS GAS
FINISHED PACKAGE: PRESSURIZED CONTAINERS.

------SECTION 4 - FIRE & EXPLOSION HAZARD DATA ------

FLASH POINT: SEE SECTION 2

FLAMMABLE LIMITS IN AIR - % BY VOLUME: SEE SECTION 2

EXTINGUISHER MEDIA: WATER FOG, DRY CHEMICAL, AND CARBON DIOXIDE

AUTO-IGNITION TEMPERATURE: UNKNOWN

SPECIAL FIRE FIGHTING PROCEDURES:
WATER MAY BE USED TO COOL CLOSED CONTAINERS TO PREVENT PRESSURE BUILD-UP AND POSSIBLE BURSTING WHEN EXPOSED TO HIGH TEMPERATURES. FIREMEN SHOULD WEAR SELF-CONTAINED, POSITIVE PRESSURE, RESPIRATORY EQUIPMENT.

UNUSUAL FIRE AND EXPLOSION HAZARDS:
THIS PRODUCT SHOULD NOT BE USED OR STORED NEAR ANY OPEN FLAMES OR IGNITION SOURCES. CONTENTS UNDER PRESSURE. SELF-PRESSURIZED AEROSOL CONTAINERS. KEEP TEMPERATURE OF CONTAINERS BELOW 120 DEG. F. TO PREVENT BURSTING. HAZARDOUS DECOMPOSITION PRODUCTS.

------SECTION 5 - HEALTH HAZARD DATA ------

THRESHOLD LIMIT VALUE: SEE SECTION 2

SIGNS AND SYMPTOMS OF EXPOSURE:

EYE CONTACT:
CONTACT WITH LIQUID OR MIST MAY CAUSE IRRITATION. VAPORS MAY IRRITATE EYES

SKIN CONTACT: PROLONGED CONTACT MAY CAUSE IRRITATION, DEFATTING OF SKIN

INHALATION:
OVEREXPOSURE TO VAPOR MAY CAUSE DIZZINESS, LOSS OF CONCENTRATION AND IRRITATION. WITH HIGH EXPOSURE LEVELS, EFFECTS CAN INCLUDE CENTRAL NERVOUS SYSTEM (CNS), DEPRESSION (INTOXICATION) AND CARDIAC ARRHYTHMIA. PRODUCT VAPORS
DISPLACE AIR AND CAN CAUSE SUFFOCATION ESPECIALLY IN CONFINED SPACE. INTENTIONAL MISUSE BY DELIBERATELY CONCENTRATING AND INHALING THE CONTENTS OF
THE CAN MAY BE HARMFUL OR FATAL

INGESTION:
ASPIRATION MAY CAUSE RAPID ABSORPTION THROUGH THE LUNGS, WHICH MAY RESULT IN SYSTEMIC EFFECTS.

IMPORTANT NOTICE:
REPEATED AND PROLONGED OVEREXPOSURE TO SOLVENTS MAY LEAD TO PERMANENT BRAIN AND NERVOUS SYSTEM DAMAGE. EYE WATERING, HEADACHES, NAUSEA, DIZZINESS AND LOSS
OF COORDINATION ARE SIGNS THAT SOLVENT LEVELS ARE TOO HIGH. INTENTIONAL MISUSE
BY DELIBERATELY CONCENTRATING AND INHALING THE CONTENTS MAY BE HARMFUL OR FATAL.

EMERGENCY AND FIRST AID PROCEDURES:

INHALATION:
REMOVE TO FRESH AIR. IF NOT BREATHING, GIVE MOUTH-TO-MOUTH. IF BREATHING IS DIFFICULT, GIVE OXYGEN. DO NOT GIVE EPINEPHRINE OR SIMILAR DRUGS. CALL A PHYSICIAN.

EYES:
FLUSH WITH WATER FOR AT LEAST 15 MINUTES. GET MEDICAL ASSISTANCE IF IRRITATION
PERSISTS.

SKIN:
WASH OFF IN FLOWING WATER OR SHOWER. REMOVE CONTAMINATED CLOTHING AND WASH BEFORE REUSE.

INGESTION:
DO NOT INDUCE VOMITING. CALL A PHYSICIAN IMMEDIATELY. DO NOT ADMINISTER SYMPATHOMIMETIC DRUGS UNLESS ABSOLUTELY NECESSARY. NO SPECIFIC ANTIDOTE

NOTE TO PHYSICIANS:
BECAUSE OF POSSIBLE DISTURBANCES OF CARDIAC RHYTHM, CATECHOLAMINE DRUGS, SUCH
AS EPINEPHRINE, SHOULD ONLY BE USED WITH SPECIAL CAUTION IN SITUATIONS OF EMERGENCY LIFE SUPPORT.

NOTE TO PHYSICIAN:
BECAUSE RAPID ABSORPTION MAY OCCUR THROUGH LUNGS IF ASPIRATED AND CAUSE SYSTEMIC EFFECTS, THE DECISION OF WHETHER TO INDUCE VOMITING OR NOT SHOULD BE
MADE BY AN ATTENDING PHYSICIAN. IF LAVAGE IS PERFORMED, SUGGEST ENDOTRACHEAL AND/OR ESOPHAGEAL CONTROL. DANAGER FROM LUNG ASPIRATION MUST BE WEIGHED AGAINST TOXICITY WHEN CONSIDERING EMPTYING THE STOMACH. EXPOSURE MAY INCREASE
"MYOCARDIAL IRRITABILITY". DO NOT ADMINISTER SYMPATHOMIMETIC DRUGS UNLESS ABSOLUTELY NECESSARY. NO SPECIFIC ANTIDOTE. SUPPORTIVE CASE. TREATMENT BASED ON JUDGMENT OF THE PHYSICIAN IN RESPONSE TO REACTIONS OF THE PATIENT.

------SECTION 6 - REACTIVITY DATA ------

STABILITY: STABLE

CONDITIONS TO AVOID:
AVOID ANY EXCESSIVE HEAT, IGNITION SOURCES, OPEN FLAMES, OR OTHER HIGH TEMPERATURES WHICH INDUCE THERMAL DECOMPOSITION.

INCOMPATIBILITY (MATERIALS TO AVOID):
CHEMICALLY ACTIVE METALS. OXIDIZING AGENTS. SODIUM, POTASSIUM, CALCIUM, ETC. ALKALI OR ALKALINE EARTH METALS. POWDERED ALUMINUM, ZINC, MAGNESIUM, BERYLLIUM, ETC.

HAZARDOUS DECOMPOSITION PRODUCTS:
HYDROGEN CHLORIDE, SMALL AMOUNTS OF PHOSGENE AND CHLORINE.

HAZARDOUS POLYMERIZATION: WILL NOT OCCUR.

CONDITIONS TO AVOID: NOT APPLICABLE

------SECTION 7 - SPILL OR LEAK PROCEDURES ------

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED:

SMALL SPILLS:
REMOVE IGNITION SOURCES. MOP UP, WIPE UP, OR SOAK UP IMMEDIATELY. USE PROPER PROTECTIVE EQUIPMENT.

LARGE SPILLS:
EVACUATE AREA. REMOVE IGNITION SOURCES. CONTAIN LIQUID; TRANSFER TO CLOSED CONTAINERS; KEEP OUT OF WATER SUPPLIES.

WASTE DISPOSAL METHODS:
DISPOSE IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS. DO NOT INCINERATE CLOSED OR EMPTY CONTAINERS.

------SECTION 8 - SPECIAL PROTECTION INFORMATION ------

RESPIRATORY PROTECTION:
NIOSH OR BUREAU OF MINES APPROVED ORGANIC VAPOR-TYPE RESPIRATOR IS REQUIRED IN
ABSENCE OF PROPER ENVIRONMENTAL CONTROL.

VENTILATION:
LOCAL EXHAUST: TO KEEP BELOW TLV
MECHANICAL (GENERAL): TO KEEP BELOW TLV
SPECIAL: NONE
OTHER: NONE

PROTECTIVE GLOVES: SOLVENT RESISTANT GLOVES - IMPERVIOUS GLOVES

EYE PROTECTION: SAFETY GLASSES OR GOGGLES

OTHER PROTECTIVE CLOTHING OR EQUIPMENT: NONE REASONABLY FORESEEABLE.

------SECTION 9 - SPECIAL PRECAUTIONS ------

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORAGE:
DO NOT STORE ABOVE 110 DEG. F. DO NOT USE OR STORE NEAR ANY OPEN FLAMES OR IGNITION SOURCES.

OTHER PRECAUTIONS:
CONTENTS UNDER PRESSURE. DO NOT PUNCTURE OR INCINERATE. EXPOSURE TO TEMPERATURES ABOVE 120 DEG. F MAY CAUSE CAN TO BURST WITH VIOLENCE AND CAUSE INJURY. VAPORS ARE HEAVIER THAN AIR AND WILL COLLECT IN LOW AREAS.

------SECTION 10 - REGULATORY INFORMATION ------

SUBJECT TO SECTION 313 OF SARA TITLE III: YES. PERCHLOROETHYLENE

ALL CHEMICAL COMPONENTS ARE LISTED IN THE TSCA INVENTORY.

CHEMICAL LISTED AS CARCINOGEN OR POTENTIAL CARCINOGEN:
NATIONAL TOXICOLOGY PROGRAM: YES - PERCHLOROETHYLENE

I.A.R.C. MONOGRAPHS: YES - PERCHLOROETHYLENE

OSHA: YES - PERCHLOROETHYLENE

CANCER INFORMATION:
FOR HAZARD COMMUNICATION PURPOSES UNDER OSHA STANDARD 29 CFR PART 1910.1200, THIS CHEMICAL IS LISTED AS A POTENTIAL CARCINOGEN BY IARC AND NTP. PERCHLOROETHYLENE HAS BEEN SHOWN TO INCREASE THE RATE OF SPONTANEOUSLY OCCURRING MALIGNANT TUMORS IN CERTAIN LABORATORY RATS AND MICE. OTHER LONG-TERM INHALATION STUDIES IN RATS FAILED TO SHOW TUMORIGENIC RESPONSE. EPIDEMIOLOGY STUDIES ARE LIMITED AND HAVE NOT ESTABLISHED AN ASSOCIATION BETWEEN PERCHLOROETHYLENE EXPOSURE AND CANCER. PERCHLOROETHYLENE IS NOT BELIEVED TO POSE A MEASURABLE CARCINOGENIC RISK TO MAN WHEN HANDLED AS RECOMMENDED.

OSHA PERMISSIBLE EXPOSURE LIMIT: SEE SECTION 2

AGCIH THRESHOLD LIMIT VALUE: SEE SECTION 2

OTHER EXPOSURE LIMITED USED: NONE

------SECTION 11 - OTHER INFORMATION ------

TRANSPORTATION INFORMATION - DOMESTIC GROUND:
SHIPPING NAME: CONSUMER COMMODITY
HAZARD CLASS: ORM-D
UN NUMBER: N/A
PACKING GROUP: N/A
HAZARD LABEL: NONE
CARTON MARKING: CONSUMER COMMODITY, ORM-D

DISCLAIMER:
SPRAY PRODUCTS CORPORATION BELIEVES THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND RELIABLE AS OF THE DATE OF THIS MATERIAL SAFETY DATA SHEET, BUT NO REPRESENTATION GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, IS MADE AS TO THE
ACCURACY, RELIABILITY, OR COMPLETENESS OF THE INFORMATION. PERSONS RECEIVING THIS INFORMATION ARE ENCOURAGED TO MAKE THEIR OWN DETERMINATION AS TO THE INFORMATION'S SUITABILITY AND COMPLETENESS FOR THEIR PARTICULAR APPLICATION. NO INFORMATION CONTAINED HEREIN CONSTITUTES A PRODUCT WARRANTY OF ANY KIND, WHETHER EXPRESS OR IMPLIED; AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY

AFFIDAVIT

Before me, the undersigned authority, this day personally appeared Curtis Zimmer ("Affiant") who being by me first duly sworn, affirmed as follows:

I, Curtis Zimmer, did in fact attend the CertainTeed Haz-Waste / Universal Waste Training Class in March 2011 as well as the CertainTeed Fire Extinguisher Training Class in November 2011.

STATE OF KANSAS

COUNTY OF MCPHERSON

Printed Name of Notary: Jessica L. Irving

Sworn to and subscribed before me this 21 day of November, 20 12 by Curtis Zimmer

Who was personally known to me or who presented drivers license as identification.

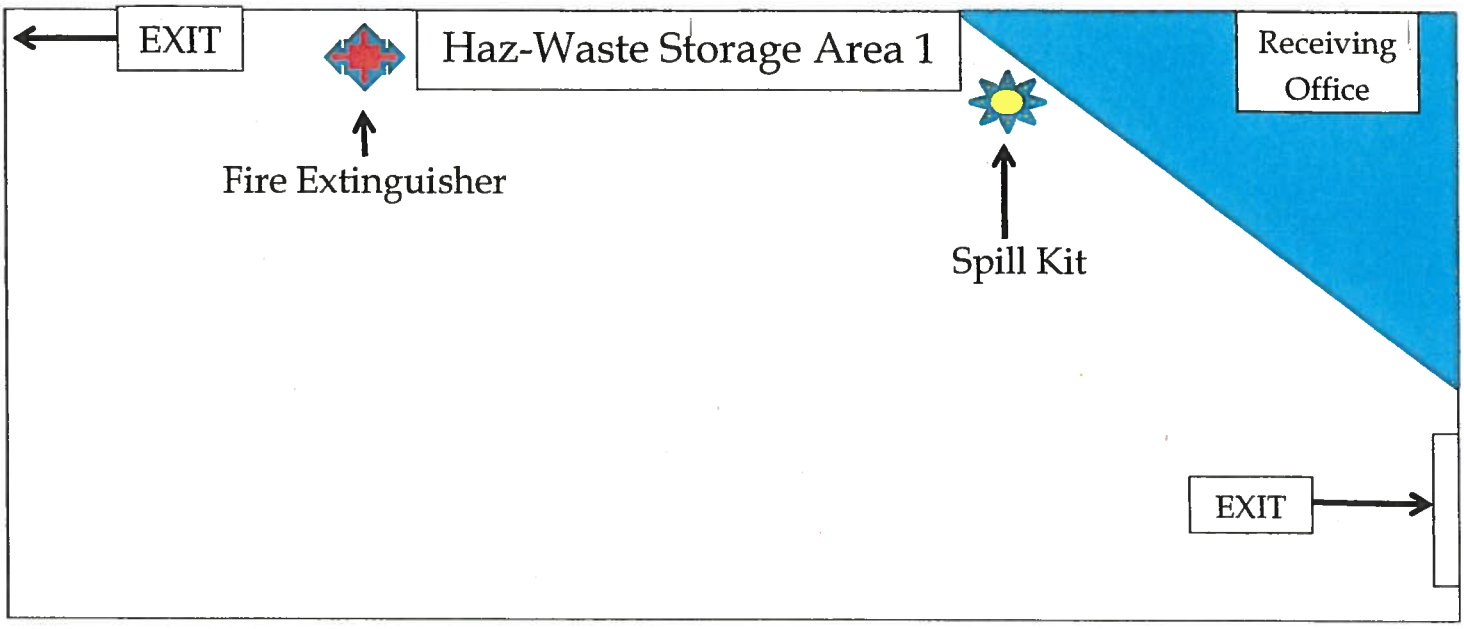
(Signature of Notary) Jessica L. Irving

Commission No. 1076685

Commission Expiration: 7/24/16

NOTARY PUBLIC - State of Kansas
JESSICA L. IRVING
My Appt Expires 7/24/16

Haz-Waste Storage Area 1
Emergency Information

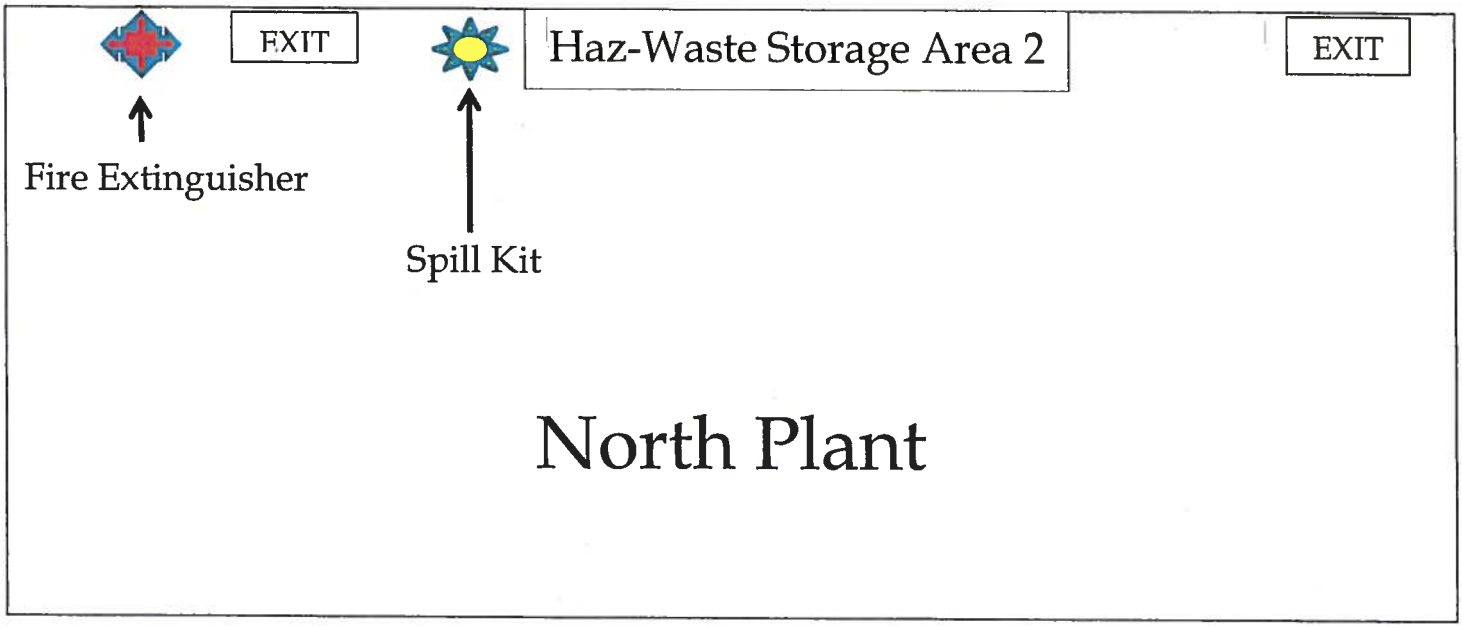


Name	Title	Work #	Cell #
Tim Miller	Plant Manager	620-245-3707	620-504-2015
Clay Shelly	Emergency Coordinator	620-245-3734	620-755-4543
Brian Lanning	Maintenance	620-245-3743	620-755-0447
Alan Wood	HR Manager	620-245-3708	

Local / County / State / National Authorities

Title / Department	Phone #
Fire, Police, Sheriff, Ambulance	9-911
National Response Center {NRC}	1-800-424-8802
Kansas Department of Emergency Management 24 Hour Spill Number	785-296-3176
Kansas Department of Health and Environment Emergency Spill Response {24 Hour Spill Number}	785-296-1679

Haz-Waste Storage Area 2
Emergency Information



Name	Title	Work #	Cell #
Tim Miller	Plant Manager	620-245-3707	620-504-2015
Clay Shelly	Emergency Coordinator	620-245-3734	620-755-4543
Brian Lanning	Maintenance	620-245-3743	620-755-0447
Alan Wood	HR Manager	620-245-3708	

Local / County / State / National Authorities

Title / Department	Phone #
Fire, Police, Sheriff, Ambulance	9-911
National Response Center {NRC}	1-800-424-8802
Kansas Department of Emergency Management 24 Hour Spill Number	785-296-3176
Kansas Department of Health and Environment Emergency Spill Response {24 Hour Spill Number}	785-296-1679

CertainTeed
SAINT-GOBAIN

U.S Environmental Protection Agency, Region VII
300 Minnesota Ave.
Kansas City, KS 66101

Attn: Dedriel Newsome

Dear, Ms. Newsome,

Please find CertainTeed Corporation – Siding Products Group – 873 N. Hickory St., McPherson, KS 67460 responses to the Notice of Violation Pursuant to Requirements of the Resource Conservation and Recovery Act (RCRA) inspection conducted on November 7th – 9th, 2012. If you have any questions or need any further information please do not hesitate to contact me directly. Thank you for your time.

Sincerely,

CertainTeed Corporation
Austin Butcher
Plant Engineer and Environmental Manager
873 N. Hickory St.
McPherson, KS 67460
Office: 620-245-3720
Cell: 620-242-6136

CertainTeed
SAINT-GOBAIN

CertainTeed Employees involved with all responses:

Janet Lynch
Plant Manager

Austin Butcher
Plant Engineer and Environmental Manger

Carlos Davis
Western Region EH&S Manager

Citation # 1

Description of Violation - Undated storage containers listed on Attachment # 1 – Citation: 40CFR262.34(a)(2)

CertainTeed Response to Citation # 1

CertainTeed is managing this centralized collection container as a "satellite accumulation" container as allowed in 40CFR262.34(c)(1):

> 40CFR262.34 (c)(1) A generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in § 261.31 or § 261.33(e) in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with paragraph (a) or (d) of this section provided he:
> (i) Complies with §§ 265.171, 265.172, and 265.173(a) of this chapter; and
> (ii) Marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

CT believes that the Methyl Ethyl Ketone liquid waste (D001, F005) and the Methyl Ethyl Ketone Contaminated Solid Wastes (wipes and paper towels, D001,

F005) drums meet the requirements of a Satellite Accumulation container because:

- The collection of the Hazardous Flammable Waste is performed by authorized personnel only (equipment operators)
- The actual collection process that occurs is a transfer from the equipment to a temporary container that is then transferred at the end of the operating shift to the respective Satellite Drums for safety and housekeeping considerations.
- These satellite drums are located approximately 100' - 150' from the operating equipment.
- As a Satellite Accumulation container, no date is required until the drum reaches a volume of 55 gallons and is then dated and transferred to an accumulation area for shipment.
- In 2011 CT disposed of 250 lbs (estimated 40 gallons) of Methyl Ethyl Ketone (D001, F005) liquid waste and 250 lbs of the Methyl Ethyl Ketone (D001, F005 Flammable solid (wipes & towels) i.e., 1 drum each.

Citation #2

Description of violation - No posted emergency info in storage area – Citation 40CFR262.34 (d) (5) (ii)

Please see the photo's below documenting the placement of emergency information: appropriate contact phone numbers of plant emergency coordinators, local emergency responders, and a facility map identifying locations of response equipment such as fire extinguishers and a spill kit. This information was posted in the accumulation area prior to the completion of the Inspection. Copies of documents will be provided in packet of information (Attachment #1)

Citation #3

Description of Violation - No Hazardous Waste arrangements with Hospital and Police and designate one Authority – Citation 40CFR265.37(a)

Please see the attached Memo, (Attachment 2) to local emergency responders, McPherson Memorial Hospital, McPherson County Sheriffs Dept., McPherson Fire Department, and McPherson Police Department, dated 11-13-12, identifying the McPherson Fire Department as the Primary Emergency Response Authority.

Please note the CertainTeed facility has a strong working relationship with the McPherson Fire Department and annually has the Fire Department formally tour the facility as part of our emergency planning and preparedness. CertainTeed also had a Registered Nurse from the Hospital visit our facility earlier this fall to familiarize them with our operations. The hospital staff visits the site each year and we anticipate they will do so again in 2013.

Citation # 4

Description of Violation - No inspection of IPA Waste Drums when full – Citation - 40CFR265.174

CT Response.

At the time of inspection this Hazardous Waste drum (D001, D039, D040, F002) (Spent Solvent Rag Drum (Tooling) was being managed as a Satellite Accumulation container and had not reached 55 gallons capacity. CT has added this container to its weekly inspection form on November 9th, 2012. Please see attached updated form. (Spent Solvent Rag Drum (Tooling) Items 27, 28, & 29 on the form, Attachment 3).

Citation #5

Description of Violation - No 2011 documentation for hazardous waste spill related training kept for 3 years – Citation KAR 28-31-262 a (d)91)(D)

CT Response:

Please see the enclosed documentation verifying that 2011 training occurred for the (4) employees that was requested during the Inspection. A full electronic copy of plant training records is available upon request for all plant employees 2010 – 2012. (Attachment 4)

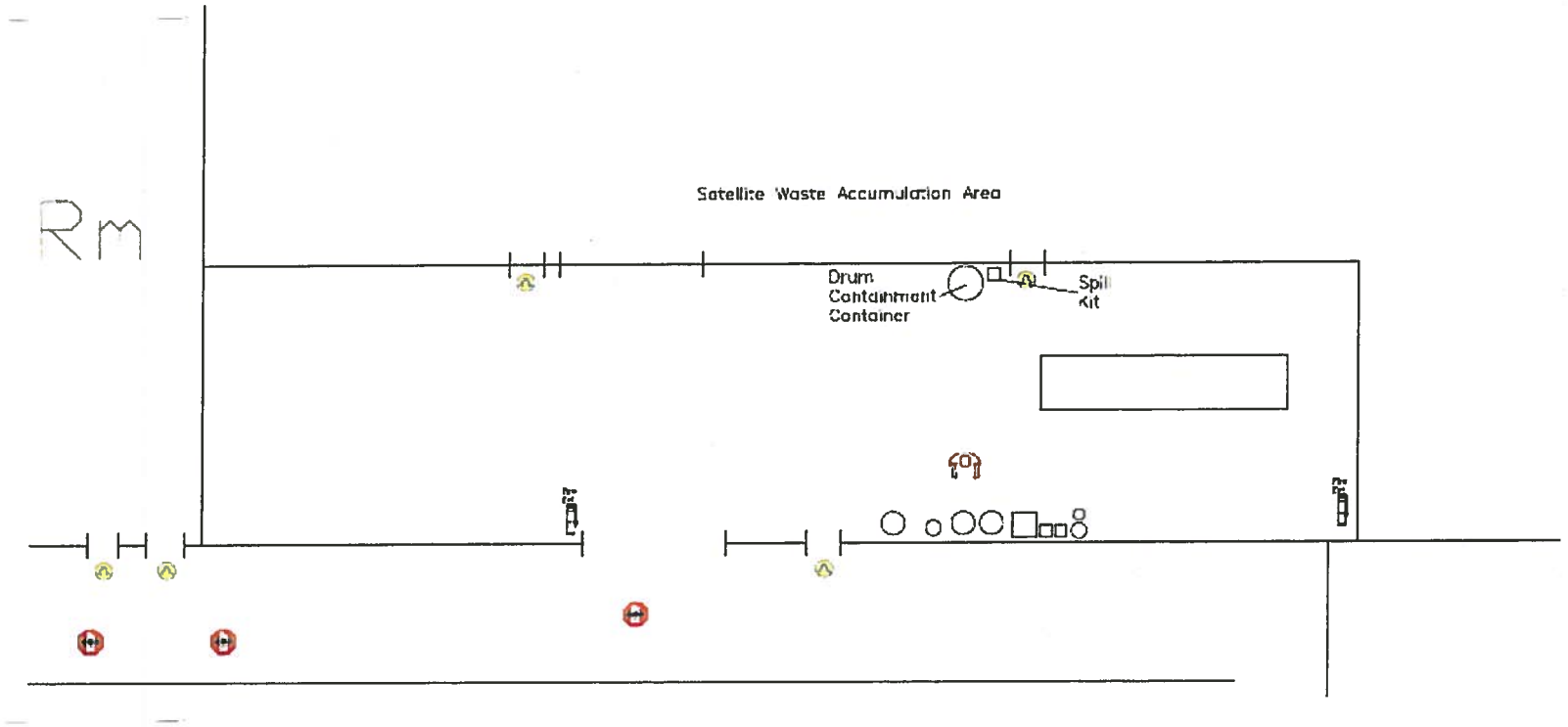
Citation # 6

Description of Violation - Incorrect EPA ID Number on manifest. Citation - 40CFR 262.20(a)

Please see the attached correspondence to Safety Kleen informing them of the correct EPA identification number. This has also been communicated internally to those CT employee's who are authorized to sign Hazardous Waste manifests. (Attachment 5)

Attachment #1

Posted Emergency information in accumulation area


Satellite Waste Accumulation Area
Rm
Drum
Containment
Container
Spill
Kit

A-1: EMERGENCY CONTACTS

CertainTeed Corporation, 873 N. Hickory St., McPherson, KS

Environmental Emergency:

Contact Plant Engineer 1st, proceed down list if necessary.

Any other Emergency: For Example: Medical Emergency, Violence in the Workplace, Severe Weather, Bomb Threat, Fire Emergency, Natural Gas Leak Safety Incident, etc…:

Contact Plant Manager 1st, proceed down list if necessary.

NAME	TITLE	WORK	CELL
Austin Butcher Plant Engineer	Environmental Emergency Coordinator	(620) 245-3720	(620) 242-6136
Janet Lynch Plant Manager	Emergency Coordinator #2	(620) 245-3701	(610) 209-6002
Jaime Davidson HR Manager	Emergency Coordinator #3	(620)-245-3709	(620)-591-6801
Ben Marshall Plant Superintendent	Emergency Coordinator #4	(620) 245-3705	(620) 755-7884
Trudy Stephens Logistics Manager	Emergency Coordinator #5	(620) 245-3702	(620) 680-1070
Duane McCann Maintenance Leader	Emergency Coordinator #6	620-245-3718	(620) 755-1701

Facility and Local/County/State/National Authorities Contact Information

Title/Department	Contact	Phone Number
McPherson Fire Department		Emergency: 911 Admin: (620) 245-2505
McPherson Police Department		Emergency: 911 Admin: (620) 245-1200
McPherson Ambulance		Emergency: 911 Admin: (620) 241-2250
McPherson County Sheriff's Office		Emergency: 911 Office: (620) 245-1225
National Response Center (NRC)		1-800-424-8802
Emergency Management Coordinator McPherson County Department of Emergency Management	Dillard Webster	(620) 245-1260
Local Emergency Planning Committee (LEPC) McPherson County Department of Emergency Management	Ken Armbrust	(620) 245-1261
Commission on Emergency Planning and Response (CEPR) - Kansas Division of Emergency Management (24 hour Spill Number)		(785) 296-3176
Kansas Department of Health and Environment (KDHE) Emergency Spill Response (24 hour Spill Number)		(785) 296-1679
Spill Response Contractor – Safety Kleen	Sam Kocher	(316) 243-7288

Attachment #2

Memo: Notification of arrangements to Local Authorities

MEMO: Notification of arrangements of local authorities.

ATTN:

McPherson Memorial Hospital
McPherson Police Department
McPherson Fire Department
McPherson County Sheriff Department

As part of the CertainTeed Polymer Shakes (Molded Products) [CertainTeed] preparedness and prevention planning, this letter is to inform all emergency responders that the CertainTeed plant located on 873 N. Hickory St. – McPherson, KS has identified the McPherson Fire Department as the Primary Emergency response authority in the event of a hazardous material incident. The McPherson Fire Department will work with identified CertainTeed Emergency Coordinators in the event of an emergency. The McPherson Fire Department will also guide or direct other emergency authorities of roles and responsibilities in the event of a hazardous material emergency.

CertainTeed manages and handles hazardous waste. This memo is to inform all identified emergency authorities of the matter for means of preparation in case of emergency.

Please respond by electronic mail that this letter has been received.

Thank you for your time,

Austin Butcher
Plant Engineer
CertainTeed Corporation
873 N. Hickory St.
McPherson, KS 67460

Attachment #3

Weekly Satellite Location Inspection Form

Form No. 11534
Author Austin Butcher
Group McPherson Plant
Start 11/9/2012 14:32:07 CST
End 11/9/2012 14:34:06 CST

Weekly Satellite Location Inspection

1	Inspector	Austin Butcher
2	Date:	11/9/2012 14:31:53 CST
CONTAINERS		
BATTERIES		
3	Are there containers?	Yes
4	Was there a spill?	No
5	Is it labeled?	Yes
LAMPS		
6	Are there containers?	Yes
7	Was there a spill?	No
8	Is it labeled?	Yes
MERCURY CONTAINING DEVISES		
9	Are there containers?	Yes
10	Was there a spill?	No
11	Is it labeled?	Yes
OIL TOTES		
12	Are there containers?	Yes
13	Was there a spill?	No
14	Is it labeled?	Yes
ABSORBENT DRUMS		
15	Are there containers?	Yes
16	Was there a spill?	No
17	Is it labeled?	Yes
HAZARDOUS WASTE		
PRINTER INK/CLEANING SOLUTION/DRUM		
18	Are there containers?	Yes
19	Was there a spill?	No
20	Is it labeled?	Yes
PRINTER INK/CLEANING SOLUTION/DAILY		
21	Are there containers?	Yes
22	Was there a spill?	No
23	Is it labeled?	Yes
PUNCTURE DRUM(AEROSOL)		
24	Are there containers?	Yes
25	Was there a spill?	No
26	Is it labeled?	Yes
SPENT SOLVENT RAG DRUM (TOOLING)		
27	Are there containers?	Yes
28	Was there a spill?	No
29	Is it labeled?	Yes
SPENT SOLVENT RAG DRUM (MAINTENANCE)		
30	Are there containers?	Yes
31	Was there a spill?	No
32	Is it labeled?	Yes
SPENT SOLVENT RAG DRUM (PRODUCTION)		
33	Are there containers?	Yes
34	Was there a spill?	No
35	Is it labeled?	Yes

Attachment #4

2011 Documentation of Hazardous Waste Spill Training for Darrin Lane, Angela Larson, Shannon Sporleder, and Brandon Richter

User ID	Last Name	First Name	Site Name	Suite Name
167656	Richter	Brandon	Polymer Shakes Courses	
Company	**Plant**	**Department**	**Shift**	**Title**
Course		**Module Name**	**Score**	**Test Taken Date**
Small Spills and Leaks		POSTTEST	100	March 8 2011
User ID	**Last Name**	**First Name**	**Site Name**	**Suite Name**
167249	Larson	Angela	Polymer Shakes Courses	
Company	**Plant**	**Department**	**Shift**	**Title**
Course		**Module Name**	**Score**	**Test Taken Date**
Small Spills and Leaks		POSTTEST	89	April 19 2011
User ID	**Last Name**	**First Name**	**Site Name**	**Suite Name**
167231	Sporleder	Shannon	Polymer Shakes Courses	
Company	**Plant**	**Department**	**Shift**	**Title**
Course		**Module Name**	**Score**	**Test Taken Date**
Small Spills and Leaks		POSTTEST	89	September 9 2011
User ID	**Last Name**	**First Name**	**Site Name**	**Suite Name**
211291	Lane	Darrin	Polymer Shakes Courses	
Company	**Plant**	**Department**	**Shift**	**Title**
Course		**Module Name**	**Score**	**Test Taken Date**
Small Spills and Leaks		POSTTEST	89	February 13 2011

Attachment #5

MEMO: Incorrect EPA Identification number used on hazardous waste manifest.

MEMO: Incorrect EPA Identification number used on hazardous waste manifest.

Attn:

Safety Kleen
Samual Kocher
Territory Account Manager
Wichita, KS

As result of a Federal EPA Inspection of our facility an incorrect EPA identification number has been used on a Hazardous Waste Shipping Manifests for our CertainTeed facility located at 873 N. Hickory St, McPherson KS 67460. Please discard all previously printed manifests and create new manifests for our waste streams using the correct EPA number below:

EPA # KSD020774337
CertainTeed Corporation
873 N. Hickory St.
McPherson, KS 67460

Please respond by electronic mail to austin.k.butcher@saint-gobain.com no later than November 26th, 2012 confirming that this action is completed.

Thank you for your time,

Austin Butcher
Plant Engineer
CertainTeed Corporation
873 N. Hickory St.
McPherson, KS 67460